WSC COPY 3/12/03

Targeted Sewer Separation, LTCP, AND CSO Abatement Program

Status Information
Portsmouth, New Hampshire
March 10, 2003

- STATUS OF LTCP

LTCP Background

REPORT SUBMITTED AUG 2002
ONE DES - FIX FIGURES & COST ESTIMATES

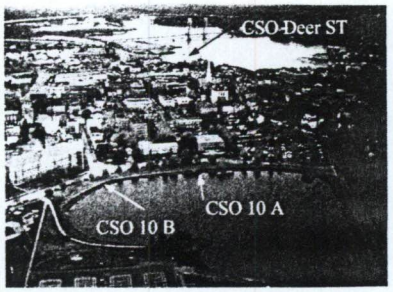
Mayor Moses H. Goodrich, 1875, September:

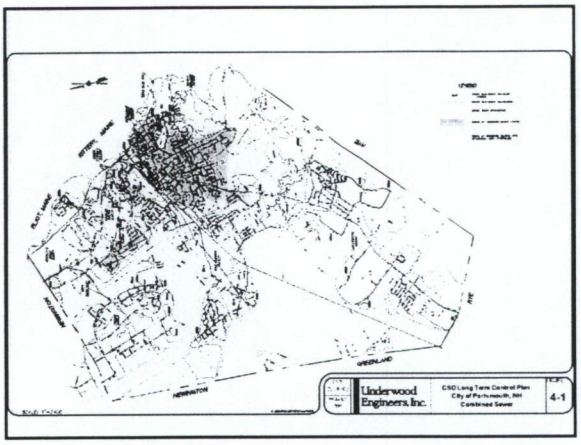
"The condition of the mill-ponds at the north and south ends of the City has become the subject of much public discussion and anxiety… This is a source of great annoyance to the people of the city, and it causes great apprehension of danger to the public health. I am not prepared to decide what is the best remedy for this great evil, but I earnestly recommend the subject to your attention."

SOUTH MILL POND 10A, 10B
DEER ST
MARCY ST

Known Overflows 1980s

Portsmouth CSO's





LTCP Recommendations

LTCP and Targeted Separation
Portsmouth, New Hampshire

Underwood Engineers, Inc.
March 2003 (Status)

Recommended Plan

AS PRESENTED IN REPORT

- Targeted Separation
- Construct a Screening Facility at South Mill Pond (BETTER IDEAS TO DISCUSS)
- Pumping Station Upgrades
- Restoration Project(s) at South Mill Pond
- Compliance Monitoring
- Plus - Final Project to be Determined Based on Results of Compliance Monitoring

LTCP and Targeted Separation
Portsmouth, New Hampshire

Underwood Engineers, Inc.
March 2003 (Status)

Implementation Plan (15 Years)

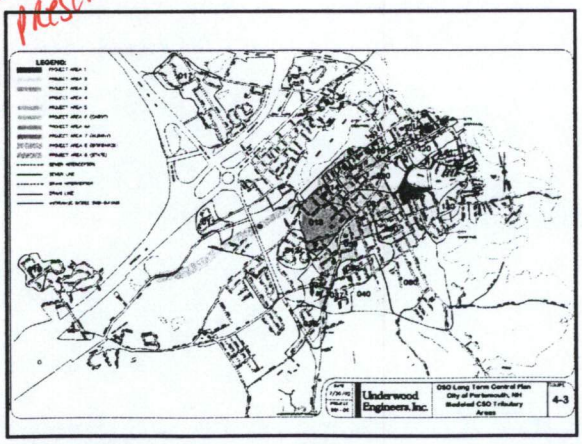
WANT TO MODIFY

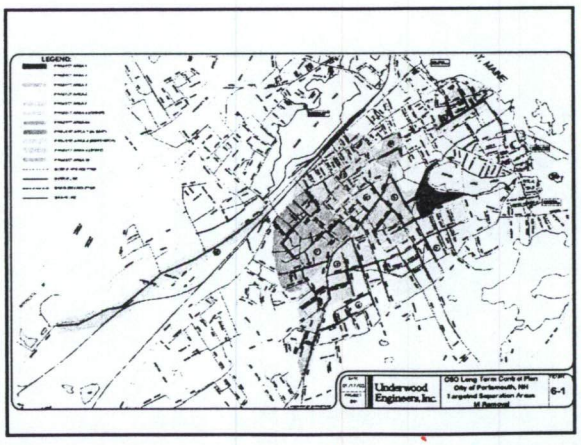
- Years 1 to 10 ($15 to $20 M)
  - Targeted Separation of Sewers, Pumping Station Upgrades, Screening Facility at South Mill Pond, Restoration Project(s) at South Mill Pond, Compliance Monitor Program
- Year 11
  - Update LTCP at End of Separation Projects
- Year 12
  - Design Final Project
- Years 13 to 15
  - Construct Additional Abatement Controls to Meet Water Quality Requirements

LTCP and Targeted Separation
Portsmouth, New Hampshire

Underwood Engineers, Inc.
March 2003 (Status)

EQUIVALENT OR GREATER SEPARATION THAN PRESENTED IN MODEL





2 PIPE SEPARATION PROGRAM

Preliminary Design
(Referred to As Lincoln Area)

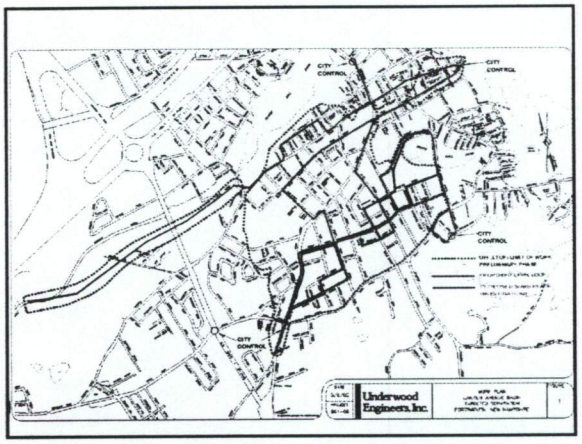
LTCP and Targeted Separation
Portsmouth, New Hampshire

Underwood Engineers, Inc.
March 2003 (Status)

See Fact Sheet
(Preliminary Design)

LTCP and Targeted Separation
Portsmouth, New Hampshire

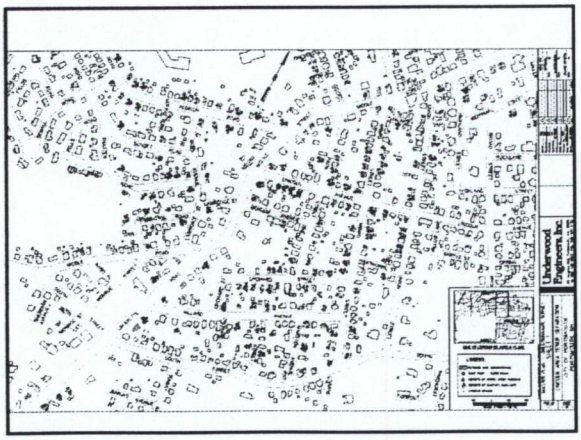
Underwood Engineers, Inc.
March 2003 (Status)

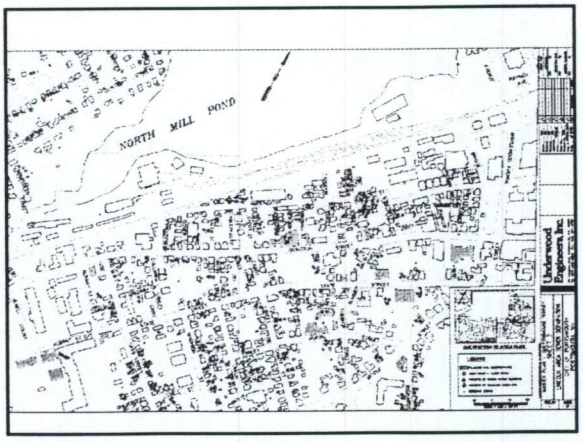


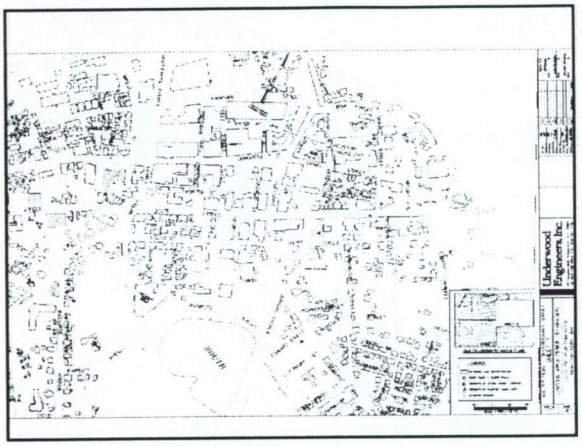
Questionnaire
(Preliminary Design)

LTCP and Targeted Separation
Portsmouth, New Hampshire

Underwood Engineers, Inc.
March 2003 (Status)



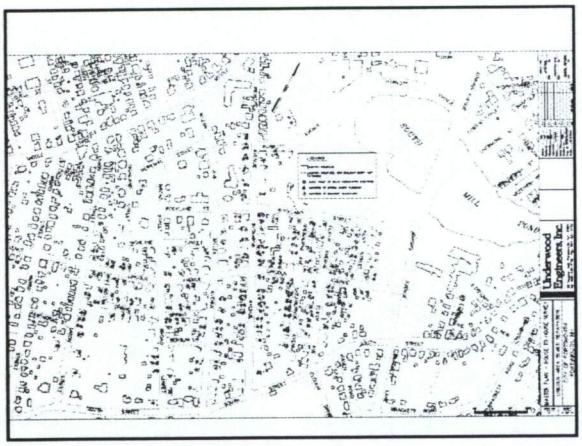




House-to-House
(Preliminary Design)

LTCP and Targeted Separation
Portsmouth, New Hampshire

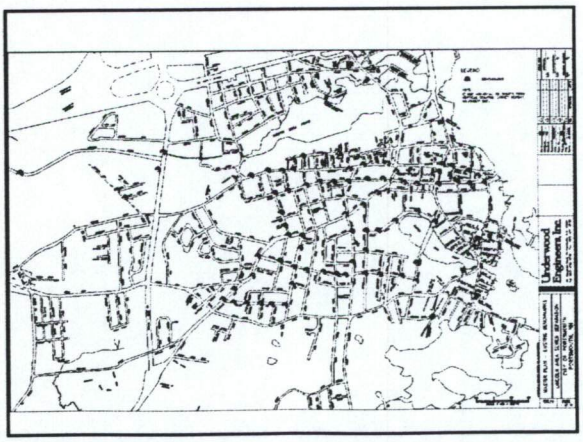
Underwood Engineers, Inc.
March 2003 (Status)



Vertical Control
(Preliminary Design)

LTCP and Targeted Separation
Portsmouth, New Hampshire

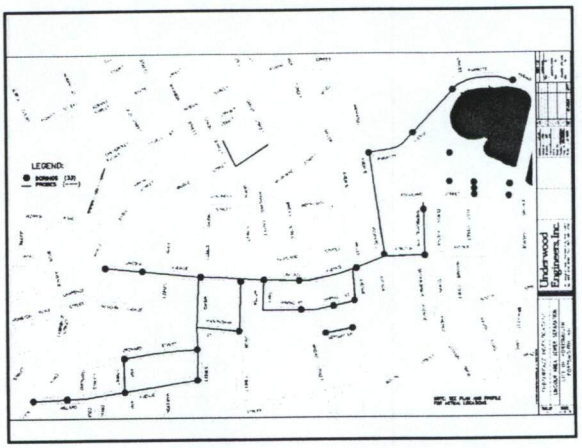
Underwood Engineers, Inc.
March 2003 (Status)



Subsurface Investigations
(Preliminary Design)

LTCP and Targeted Separation
Portsmouth, New Hampshire

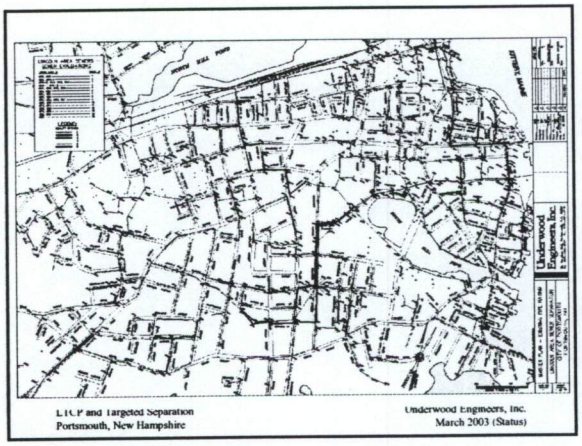
Underwood Engineers, Inc.
March 2003 (Status)



Sewer Video and Cleaning
(Preliminary Design)

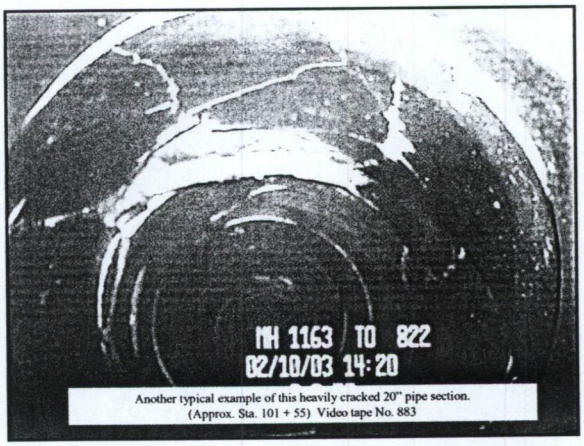
LTCP and Targeted Separation
Portsmouth, New Hampshire

Underwood Engineers, Inc.
March 2003 (Status)

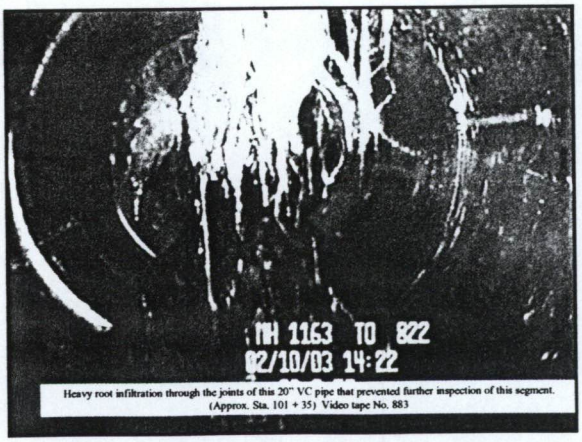


LTCP and Targeted Separation
Portsmouth, New Hampshire

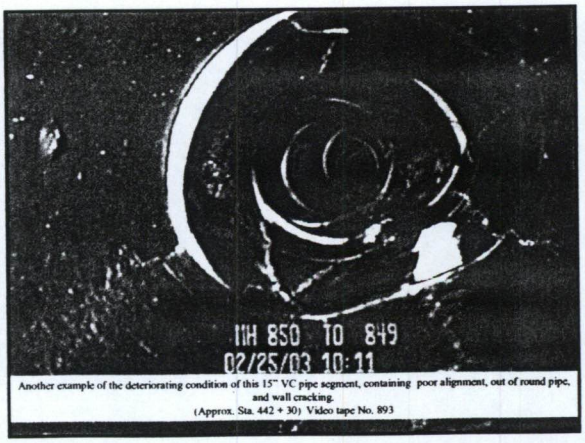
Underwood Engineers, Inc.
March 2003 (Status)



Another typical example of this heavily cracked 20" pipe section.
(Approx. Sta. 101 + 55) Video tape No. 883



Heavy root infiltration through the joints of this 20" VC pipe that prevented further inspection of this segment.
(Approx. Sta. 101 + 35) Video tape No. 883



Another example of the deteriorating condition of this 15" VC pipe segment, containing poor alignment, out of round pipe, and wall cracking.
(Approx. Sta. 442 + 30) Video tape No. 893

An area of misalignment observed in this 15" VC pipe segment.
(Approx. Sta. 438 + 40) Video tape No. 893

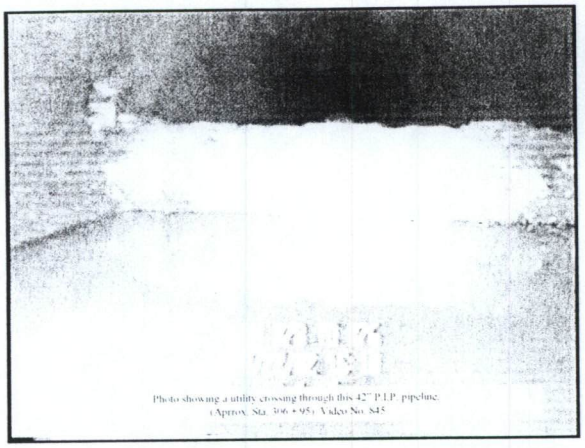
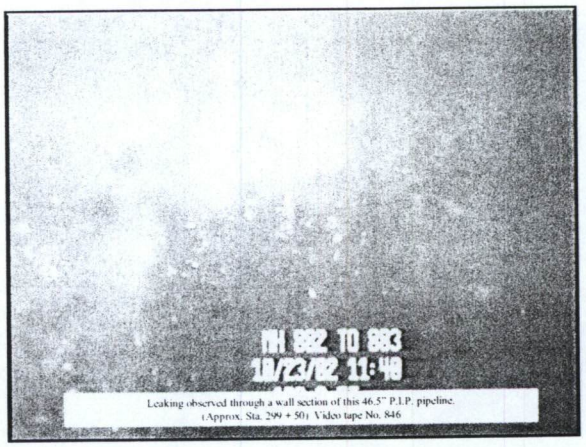


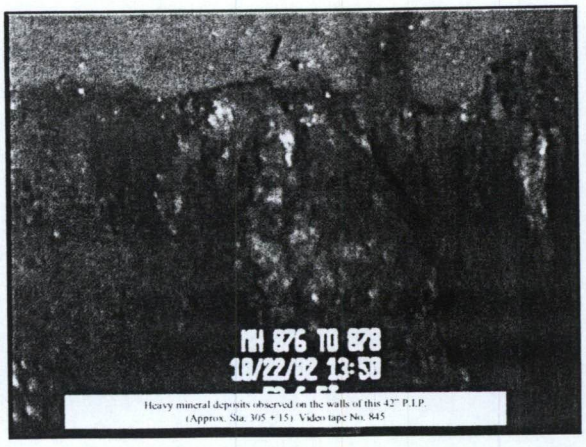
Photo showing a utility crossing through this 42" P.I.P. pipeline.
(Approx. Sta. 306 + 95) Video No. 845

Another utility crossing observed in this 42" pipeline section.
(Approx. Sta. 306 + 60) Video tape No. 845



Leaking observed through a wall section of this 46.5" P.I.P. pipeline.
(Approx. Sta. 299 + 50) Video tape No. 846

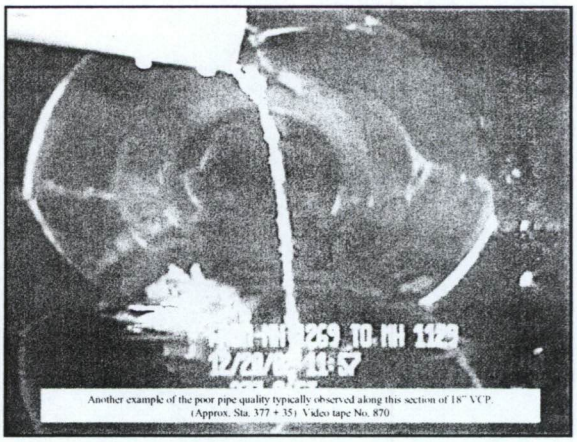
Photo shows an obstruction protruding from a service connection into this 46.5" pipeline section.
(Approx. Sta. 300 + 05) Video tape No. 846



Heavy mineral deposits observed on the walls of this 42" P.I.P.
(Approx. Sta. 305 + 15) Video tape No. 845

Photo shows a section of 18" VC pipe collapsing under Lincoln Ave.
(Approx Sta. 379 + 50) Video tape No. 870

This out of round pipe continues to show the poor structural integrity of this section of 18" VC pipe, also exhibiting multiple cracks, and areas of wall collapse.
(Approx. Sta. 377 + 60) Video tape No. 870

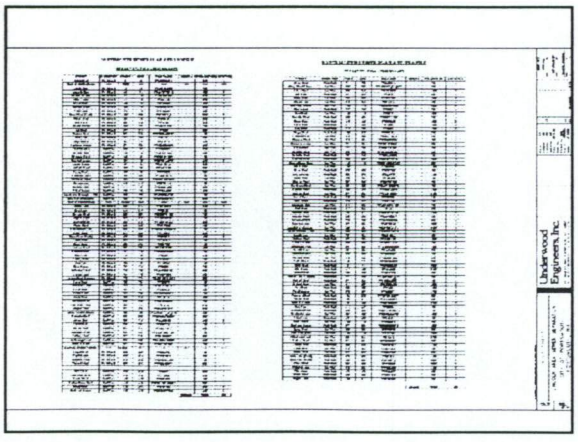


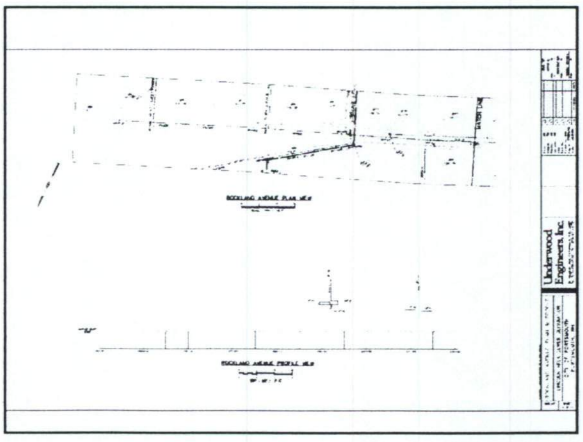
Another example of the poor pipe quality typically observed along this section of 18" VCP.
(Approx. Sta. 377 + 35) Video tape No. 870

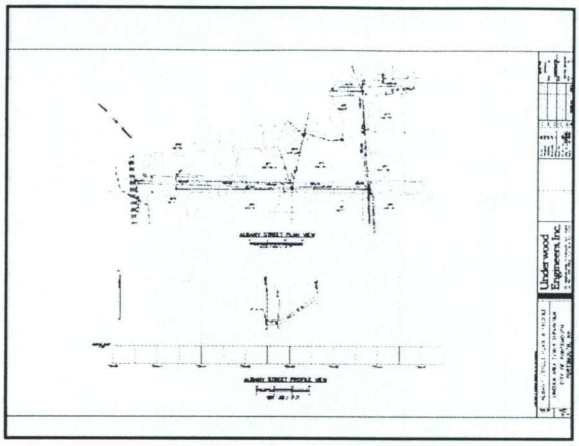
Plans and Profiles
(Preliminary Design)

LTCP and Targeted Separation
Portsmouth, New Hampshire

Underwood Engineers, Inc.
March 2003 (Status)





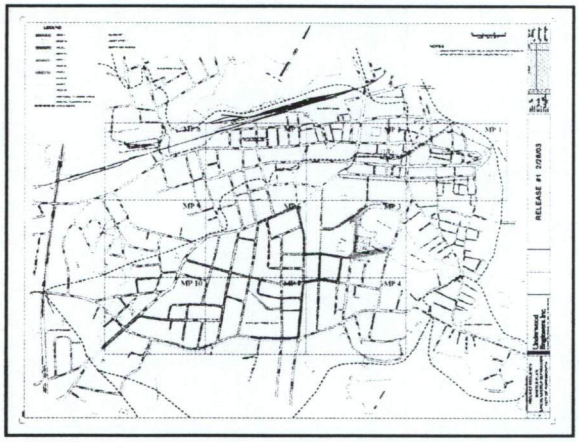


Implementation
(Preliminary Design)

- PHYSICALLY CAN'T DO ALL PROJECTS
- NORMAL ENGINEERING PRACTICES
-

LTCP and Targeted Separation
Portsmouth, New Hampshire

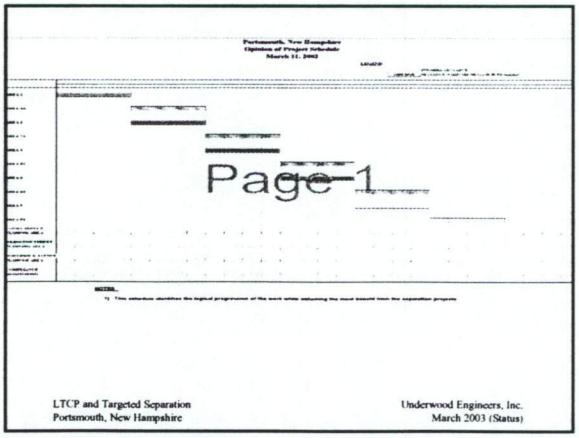
Underwood Engineers, Inc.
March 2003 (Status)

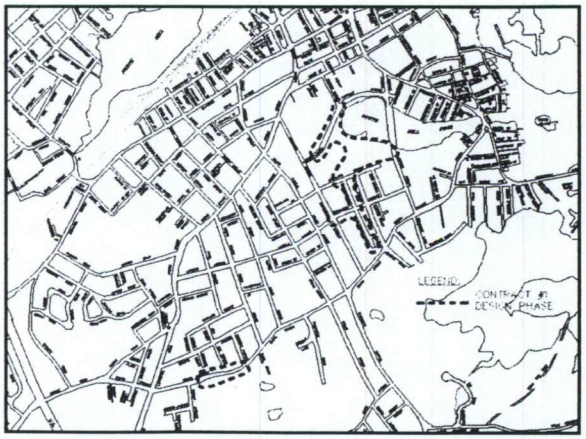


Contract #1
(Final Design)

LTCP and Targeted Separation
Portsmouth, New Hampshire

Underwood Engineers, Inc.
March 2003 (Status)





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I

IN THE MATTER OF THE CITY OF PORTSMOUTH, NEW HAMPSHIRE PUBLIC WORKS DEPARTMENT NPDES No. NH0100234 Proceedings under Section 309(a)(3) ORDER FOR COMPLIANCE of the Clean Water Act, as amended, 33 U.S.C. §1319(a)(3)	DOCKET No. 02-15 FINDINGS OF VIOLATION AND ORDER FOR COMPLIANCE

STATUTORY AUTHORITY

The following FINDINGS are made and ORDER issued pursuant to Section 309(a)(3) of the Clean Water Act, as amended (the "Act"), 33 U.S.C. §1319(a)(3), which grants to the Administrator of the U.S. Environmental Protection Agency ("EPA") the authority to issue orders requiring persons to comply with Sections 301, 302, 306, 307, 308, 318 and 405 of the Act and any permit condition or limitation implementing any of such sections in a National Pollutant Discharge Elimination System ("NPDES") permit issued under Section 402 of the Act, 33 U.S.C. §1342. This authority has been delegated to EPA's Regional Administrators and further delegated to the Director of EPA, Region I's Office of Environmental Stewardship (the "Director").

The Order herein is based on findings of violations of Section 301 of the Act, 33 U.S.C. §1311, and the conditions of NPDES Permit No. NH0100234. Pursuant to Section 309(a)(5)(A) of the Act, 33 U.S.C. § 1319(a)(5)(A), the Order provides a schedule for compliance which the Director has determined to be reasonable.

FINDINGS

The Director makes the following findings of fact:

1. The City of Portsmouth (the "Permittee"), a municipal corporation established under the laws of the State of New Hampshire, is a municipality under Section 502(4) of the Act.

2. The Permittee is a person under Section 502(5) of the Act, 33 U.S.C §1362(5). The Permittee is the owner and operator of a wastewater treatment facility (the "Facility") and three combined sewer overflow ("CSO") discharge points from which it discharges pollutants, as defined in Sections 502(6) and (12) of the Act, 33 U.S.C. §§1362(6) and (12), from point sources, as defined in Section 502(14) of the Act, 33 U.S.C. §1362(14), to the South Mill Pond and the Piscataqua River. The South Mill Pond and the Piscataqua River are Class B waterways. These receiving waters named above are navigable waters under Section 502(7) of the Act, 33 U.S.C.§1362(7). The Facility is a 4.5 million gallon per day ("MGD") wastewater treatment plant which treats and discharges an average flow of approximately 3.5 MGD of wastewater to the Piscataqua River during dry weather.

3. On January 18, 1985 the Permittee was reissued NPDES Permit No. NH0100234 (the "Permit") by the Director of the Water Management Division of EPA, Region I, under the authority given to the Administrator of EPA by Section 402 of the Clean Water Act, 33 U.S.C. §1342. This authority has been delegated by the Administrator of EPA to the

Regional Administrator of EPA, Region I, who had in turn delegated this authority to the Director of the Water Management Division. The Permit became effective on January 18, 1985.

4. The Permit authorizes the Permittee to discharge pollutants from a point source at the Facility and three CSO discharge points to the South Mill Pond and the Piscataqua River subject to the effluent limitations, monitoring requirements, and other conditions specified in the Permit.

5. Section 301(a) of the Act, 33 U.S.C. §1311(a), makes unlawful the discharge of pollutants to waters of the United States except in compliance with, among other things, the terms and conditions of an NPDES permit issued pursuant to Section 402 of the Act, 33 U.S.C. §1342.

6. Part I.B.1. of the Permit requires that CSO discharges receive treatment at a level necessary to achieve water quality standards and that CSOs not cause violations of State Water Quality Standards.

7. Part II(m) of the Permit prohibits bypass of the wastewater treatment plant unless the Permittee shows, among other things, that the bypass was unavoidable to prevent loss of life, personal injury and severe property damage, and that there was no feasible alternative to the bypass.

8. In January 1991 the Permittee's consultant (then Whitman & Howard, Inc.) completed a Combined Sewer Overflow Abatement Program ("1991 Plan") which was subsequently submitted to EPA and New Hampshire Department of Environmental Services (NH DES). The 1991 Plan described the monitoring, modeling, impact assessment, and alternative analysis of the combined sewer system.

9. Chapter 6 of the 1991 Plan reports the results of the 1990 CSO quality monitoring program for conventional parameters (see Table 6-2 on page 6-3 of the CSO Facilities Plan). All of the Total coliform bacteria concentrations measured in the CSO discharges exceeded the then effective water quality standards bacteria criterion, 240 colonies/100 ml for State of New Hampshire Class B receiving waters. Wet weather monitoring of CSO impacted receiving waters showed that these receiving waters violated the State's then effective water quality standards bacteria criterion (see Tables 6-3 through 6-15 on pages 6-7 through 6-25 of the CSO Facilities Plan). The Permittee's CSO discharges therefore contributed to violations of the State's water quality standards, thereby violating Part I.D.1 and I.D.2. of the NPDES Permit.

10. The Draft CSO Long Term Control Plan ("Draft LTCP") submitted by the City's consultant (Underwood Engineers, Inc.) on February 8, 2002 summarized Facility wastewater flows and overflows from the two permitted CSO structures for the period July 1995 through April 1998. These two permitted overflows, 010A and 010B, are

identified as continuing to discharge without treatment in violation of the State's water quality standards, thereby violating Part I.D.1 and I.D.2. of the NPDES Permit. The Draft LTCP also identified a third combined sewer overflow point at the Deer Street Tide Chamber adjacent to the Deer Street pumping station. This overflow point discharges untreated CSOs to the Piscataqua River in violation of the State's water quality standards.

ORDER

Accordingly, pursuant to Section 309(a)(3) of the Clean Water Act, it is hereby ordered that the Permittee shall:

1. By **August 1, 2002** submit a final Long Term Control Plan ("LTCP") for CSOs outlining the steps and schedule by which the City will come into compliance with its permit and the New Hampshire water quality standards. Then LTCP shall conform to the EPA *Combined Sewer Overflow Policy*, 1994, and the EPA *Combined Sewer Overflows-Guidance for Financial Capability Assessment and Schedule Development*, 1997.

2. By **August 1, 2002** submit an update of the *Portsmouth Nine Minimum Controls for Combined Sewer Overflows,* January 14, 1997. The update shall identify a control as completed or provide a schedule for those controls not yet complete. For those controls described as ongoing, provide the implementation strategy and any written operating guidance or manuals as well a description of the record keeping requirements.

3. By **February 28, 2003**, complete the Preliminary Design Report ("Report") for the combined sewer area. The Report will identify and map each of the projects to be conducted and contain a schedule for final design and construction for each project.

4. By **March 3, 2003**, advertise bids for the construction of the Area #1 Project in the vicinity of Outfalls 010A and 010B.

NOTIFICATION PROCEDURES

1. Where this Order requires a specific action to be performed within a certain time frame, the Permittee shall submit a written notice of compliance or noncompliance with each deadline. Notification must be mailed within fourteen (14) days after each required deadline. The timely submission of a required report shall satisfy the requirement that a notice of compliance be submitted.

2. If noncompliance is reported, notification should include the following information:
   a. A description of the noncompliance;
   b. A description of any actions taken or proposed by the Permittee to comply with the elapsed schedule requirements;
   c. A description of any factors which tend to explain or mitigate the noncompliance;
   d. An approximate date by which the Permittee will perform the required action.

3. After a notification of noncompliance has been filed, compliance with the past requirement shall be reported by submitting any required documents or providing EPA with a written

report indicating that the required action has been achieved.

4. Submissions required by this Order shall be in writing and should be mailed to the following addresses:

Samuel Silverman, Acting Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency
Post Office Box 8127
Boston, MA 02114-2023
Attn: Eric Hall, SEW

G. Dana Bisbee, Assistant Commissioner
New Hampshire Department of Environmental Services
Wastewater Engineering Bureau
Permits and Compliance
6 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095
Attn: George Berlandi

GENERAL PROVISIONS

l. The Permittee may, if it desires, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to the Permittee. The Permittee should read the above-cited regulations carefully before asserting a business confidentiality claim since certain categories of information are not properly the subject of such a claim.

For example, the Clean Water Act provides that "effluent data" shall in all cases be made available to the public. See Section 308(b) of the Act, 33 U.S.C. § 1318(b).

2. This Order does not constitute a waiver or a modification of the terms and conditions of the Permit. The Permit remains in full force and effect. EPA reserves the right to seek any and all remedies available under Section 309 of the Act,33 U.S.C. § 1319, as amended, for any violation cited in this Order and Section 308 information request.

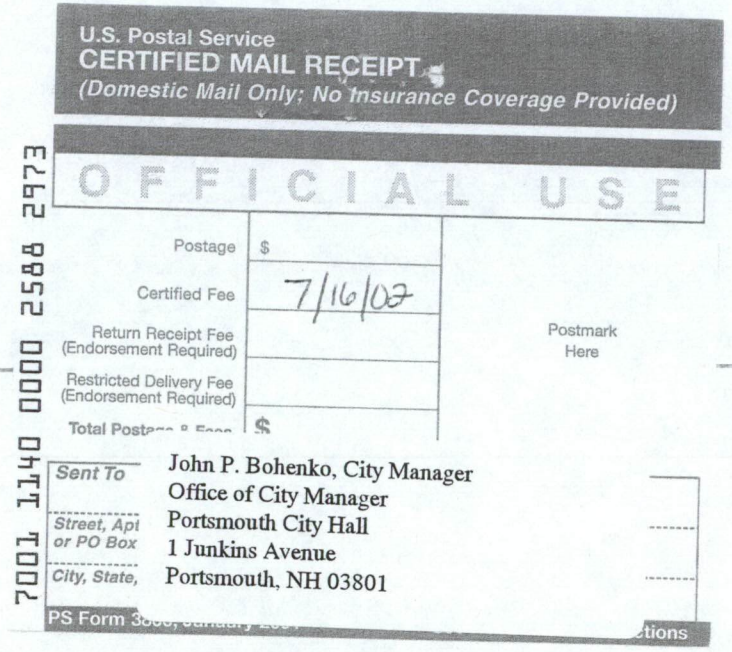
3. This Order shall become effective upon receipt by the Permittee.

7-11-02

Date

Sam Silverman

Samuel Silverman, Acting Director
Office of Environmental Stewardship
Environmental Protection Agency, Region I



U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage $
Certified Fee 7/16/07
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees $

Postmark Here

Sent To John P. Bohenko, City Manager
Office of City Manager
Street, Apt. or PO Box Portsmouth City Hall
1 Junkins Avenue
City, State, Portsmouth, NH 03801

PS Form 3800, January 2001 ctions

7001 1140 0000 2588 2973

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
ONE CONGRESS STREET
SUITE 1100, SEW
BOSTON, MASSACHUSETTS 02114-2023

CERTIFIED MAIL RETURN RECEIPT REQUESTED

July 11, 2002

John P. Bohenko, City Manager
Office of City Manager
Portsmouth City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: Adminstrative Order No. 02-15
NPDES Permit No. NH0100234

Dear Mr. Bohenko:

The City of Portsmouth's wastewater discharges from the Peirce Island wastewater treatment facility and untreated overflows from the combined sewer system are regulated under NPDES Permit No. NH0100234 ("Permit"). Among other requirements of the Permit, overflows from the combined sewers may not cause violations of New Hampshire water quality standards. The City, through its own discharge and receiving water monitoring, has identified combined sewer overflows as causing violations of those standards.

Enclosed is an Administrative Order issued pursuant to Section 309(a)(3) of the Clean Water Act, 33 U.S.C. §1319(a)(3). The Order requires the City to address the violations of the above mentioned Permit. Specifically, the City has violated bacterial limits for both shellfish harvesting and for swimming.

The Order requires the City to:

1. By August 1, 2002 submit a final Long Term Control Plan ("LTCP") for CSOs outlining the steps and schedule by which the City will come into compliance with its permit and the New Hampshire water quality standards;

2. By August 1, 2002 submit an update of the Portsmouth Nine Minimum Controls for Combined Sewer Overflows previously submitted January 14, 1997;

3. By February 28, 2003, complete the Preliminary Design Report ("Report") for the combined sewer area. The Report will identify and map each of the projects to be conducted and contain a schedule for final design and construction for each project; and

4. By March 3, 2003, advertise bids for the construction of the Area #1 Project in the vicinity of Outfalls 010A and 010B.

Violation of this Order may subject the City to further enforcement action under Section 309 of the Clean Water Act, in which injunctive relief and or penalties may be sought.

If you have any questions concerning the terms of this Order, please contact Eric Hall of the Water Technical Unit at 617-918-1880.

Sincerely,

Sam Silverman

Samuel Silverman, Acting Director
Office of Environmental Stewardship

cc: Sharon Ducharme, NH DES
Gretchen Rule, NH DES
David Allen, City Engineer
W. Steven Clifton, P.E., Underwood Engineers

CITY OF PORTSMOUTH

City Hall, One Junkins Avenue
Portsmouth, New Hampshire 03801
(603) 431-2000 x201 Fax (603) 427-1526

John P. Bohenko
City Manager

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 16, 2001

Ms. Linda M. Murphy, Director, CAA
Office of Ecosystem Protection
US Environmental Protection Agency
1 Congress Street, Suite 1100
Boston , Massachusetts 02114-2023
Att: Damien Houlihan

Re: City of Portsmouth, New Hampshire Section 308 Information Request
NPDES Permit No. NH0100234

Dear Ms. Murphy:

In accordance with your letter of January 19, 2001, the City of Portsmouth is providing separate written responses to the three items of additional information requested on page three of your letter.

1. The City collected effluent samples and has delivered them to ESI, Envirosystems Inc. for the whole effluent toxicity testing. The WET tests followed the protocol attached to your January 19th letter. The results of tests are included as Attachment "A" of this letter.

2. Attachment "B" is a copy of available information relating to toxicity at the Peirce Island Wastewater Treatment Plant. The data includes a range finding test performed by New England Bioassay in December of 2000 in follow-up to the November 14, 2000 EPA letter. To the best of our knowledge, no additional toxicity information is available (see attached Declaration Statement).

3. Attachment "C" addresses the dilution factor of the existing single port 24-inch Peirce Island Wastewater Treatment Plant outfall. A complete evaluation was not possible within the month granted in your January 19th letter. In lieu of a complete dilution evaluation, our consultant, Underwood Engineers, Inc. has utilized available data to perform a first cut at a dilution evaluation. The results support our effort to perform a complete technically defensible evaluation of our existing outfall and if necessary modify our outfall to achieve greater than 100:1 dilution.

The City is committed to maintaining the 301 (h) waiver to the NPDES permit and is moving forward on the Peirce Island Wastewater Treatment Plant upgrades including the projects

outlined in our November 27, 2000 letter to the EPA. The City has submitted a draft contract and scope of work to the NHDES for their review and is awaiting their approval prior to authorizing our consultant to proceed with the final design of the Peirce Island Wastewater Treatment Plant upgrades. Included as Attachment "D" is a copy of the scope of work submitted as part of the NHDES Standard Design Phase Contract.

If you have any questions, please contact Jim Donison, City of Portsmouth Water/Sewer Engineer, at (603) 427-1530, or Steven Clifton, Underwood Engineers, Inc., at (603) 436-6192.

Sincerely,

John P. Bohenko
City Manager

jmk
enclosures: Attachments A, B, C, D
cc: Carl Deloi, Director, New Hampshire State Unit
Damien Houlihan, EPA-New Hampshire State Unit, w/Encl.
Eric Hall, EPA- Water Technical Unit
Philip Colarusso, EPA Water Quality Unit
John Hackler, EPA-NPDES Task Force
Harry Stewart, Director, NHDES-WD
George Berlandi, NHDES-WD, w/Encl.
John R. Bush, Administrator, NHDES-WD, WWEB, w/Encl.
Jacques A. Parent, NHDES-WD, SWQD
Jeffrey G. Andrews, NHDES-WD, SWQD
George Neill, NHDES-WD WWEB
David S. Allen, Deputy Director of Public Works, Portsmouth
James J. Donison, Water/Sewer Engineer, Portsmouth
W. Steven Clifton, Underwood Engineers, Inc.

ATTACHMENT 2 TO EPA SECTION 308 REQUEST LETTER DATED January , 2001

Instructions: Complete and Include With Your Response

DECLARATION

I declare under penalty of perjury that I am

the CITY MANAGER of PORTSMOUTH, NH,
[Title] **[Name of Municipality/District]**

that I am authorized to respond on behalf of

PORTSMOUTH and that the foregoing is a
[Name of Municipality/District]

complete, true, and correct response.

Executed on 2-16-01
[Date]

[Signature]

John P. Bohenko, City Manager
[Type Name and Title]

Eric Hall

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 19, 2001

John P. Bohenko, City Manager
Office of City Manager
Portsmouth City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: **Request for Information Pursuant to Section 308 of the Clean Water Act for the City of Portsmouth's NPDES draft permit NH00100234 and Section 301(h) waiver**

Dear Mr. Bohenko:

As you are aware, the Environmental Protection Agency issued a letter dated November 14, 2000, to the City of Portsmouth. This letter sought information relating to your NPDES permit renewal and corresponding request for a waiver from secondary treatment under section 301(h) of the Clean Water Act (a 301(h) waiver). EPA received your written response dated November 27, 2000. On December 5, 2000, EPA met with officials from the City of Portsmouth, their consultants, and representatives from the State of New Hampshire Department of Environmental Service. The purpose of this meeting was to review the City's response.

As a result of these correspondences and the subsequent meeting, EPA has become aware of two important issues which need to be addressed before EPA can move forward on your waiver request and permit. These two issues are: 1) the lack of information regarding toxicity testing at the Wastewater Treatment Facility (WWTF), and; 2) the accuracy of the 22.5 to1 dilution factor which was submitted as part of your 301(h) waiver application.

With regard to toxicity testing, EPA's **Technical Support Document for Water Quality-based Toxics Control**, **EPA/505/2-90-001, March 1991**, recommends using an "integrated strategy" containing both pollutant (chemical) specific approaches and whole effluent (biological) toxicity approaches to control toxic pollutants in effluent discharges from entering the nation's waterways.

EPA-New England adopted this "integrated strategy" on July 1, 1991, for use in **permit development and issuance**. These approaches are designed to protect aquatic life and human

health. Pollutant specific approaches such as those in the Gold Book and State regulations address individual chemicals, whereas, whole effluent toxicity (WET) approaches evaluate interactions between pollutants, thus rendering an "overall" or "aggregate" toxicity assessment of the effluent. Furthermore, WET measures the "Additivity" and/or "Antagonistic" effects of individual chemical pollutants which pollutant specific approaches do not, thus the need for both approaches. In addition, the presence of an unknown toxic pollutant can be discovered and addressed through this process.

Portsmouth's existing permit does not require toxicity testing. Furthermore, EPA is unaware of any toxicity tests and results which may have been conducted either by the City or it's consultants since the permit application was submitted.

New Hampshire law states that, "all surface waters shall be free from toxic substances or chemical constituents in concentrations or combination that injure or are inimical to plants, animals, humans, or aquatic life;...." (N.H. RSA 485-A:8, VI and the N.H. Code of Administrative Rules, PART Env-Ws 1703.21(a)(1)). The federal NPDES regulations at 40 CFR §122.44(d)(1)(v) require whole effluent toxicity limits in a permit when a discharge has a "reasonable potential" to cause or contribute to an excursion above the State's narrative criterion for toxicity.

EPA-New England's current policy requires toxicity testing in all permits with the type of toxicity test (acute and/or chronic) and effluent limitation based on the available dilution (See enclosure). EPA is concerned about the potential toxicity of any discharge, but especially one for which a 301(h) waiver has been or may be issued.

The second issue which concerns EPA is in regard to the dilution factor calculated in your 301(h) waiver application. The 22.5 to 1 dilution factor was originally calculated in the City's December 1982 301(h) waiver application. This dilution factor was based on the sea water density at the bottom and the sea water density at the surface (see 301(h) waiver application, part III, Technical Evaluation). Since the original dilution factor calculation, EPA has produced several mathematical models which may more accurately reflect the dilution using site specific information. The numerical model CORMIX provides a better estimate of initial dilution.

Since the available dilution will effect the requirements for toxicity testing and will be the basis of water quality bases limits in your permit, EPA believes it is necessary for the City to accurately determine that number.

Section 308 of the Clean Water Act (the "Act"), 33 U.S.C. § 1318, authorizes the U.S. Environmental Protection Agency ("EPA") to require owners and operators of point sources,

such as the City of Portsmouth's WWTF, to provide such information as EPA may reasonably require in order to carry out the objectives of the Act, including but not limited to developing or assisting in the development of any effluent limitation, or other limitation, prohibition, or effluent standard, pretreatment standard, or standard of performance.

Specifically, the information will be used in the development of a Section 301(h) waiver and National Pollutant Discharge Elimination System (NPDES) draft permit scheduled for reissuance to the above named facility.

Therefore, pursuant to EPA's authority under Section 308 of the Act, the City of Portsmouth is required to submit the following information for its facility to EPA **no later than February 20, 2001**:

1. The permittee shall conduct a chronic (and modified acute) Whole Effluent Toxicity (WET) test using the indicator-species, Inland Silverside (Menidia beryllina) following the test procedure and protocol described in Attachment A. Toxicity data and results from this test shall be reported as prescribed in Section VIII of Attachment A. All samples for this toxicity test shall be collected over a 24 hour period and shall be flow weighted. This includes samples for days 1,3, and 5.

2. Submit copies of all reports, plans, documents, correspondence, or records (collectively "Documents") in the City's possession or control (which includes Documents in the possession or control of the City's contractors) relating in any way to effluent toxicity at the Peirce Island facility. This includes any WET or Microtox tests that may have been conducted.

3. Re-evaluate the dilution factor. If the City believes that 22.5:1 is the appropriate dilution factor, explain why. If the City does not believe 22.5:1 is appropriate, submit a new dilution factor using an EPA approved model, such CORMIX.

Guidance on How to Respond

Please respond separately to each of the questions, referencing each question by number. The response must include copies of all records and information available to the City that are referenced in the response. As part of the response, please complete the enclosed declaration (**Attachment No. 2**) and provide a cover letter specifying what documentation has been appended to the response to answer each question. If the documentation that supports a response to one item duplicates the documentation that supports the response to another item, submit only one copy of the documentation. The submission must be a self-explanatory, complete response that is dated and signed by an authorized City official.

Important Information About This Request and the Response

Compliance with this Information Request is mandatory. Failure to respond fully and truthfully, or to adequately justify any failure to respond, **by February 20, 2001**, may result in an enforcement action by EPA pursuant to Section 309 of the Clean Water Act, 33 U.S.C. § 1319, which provides for administrative, civil, and criminal penalties. In addition, any person who knowingly submits false information may be subject to criminal prosecution under 18 U.S.C. § 1001.

The information requested herein is not subject to the requirements of the Paperwork Reduction Act.

As indicated above, all requested information must be submitted to EPA by **no later than February 20, 2001.** Information submitted pursuant to this Section 308 information request shall be sent by certified mail and shall be addressed as follows:

Linda M. Murphy, Director, CAA
Office of Ecosystem Protection
United States Environmental Protection Agency
1 Congress Street, Suite 1100
Boston, MA 02114-2023
Att: Damien Houlihan

George Belandi
Wastewater Engineering Bureau
New Hampshire Department of Environmental Services
P. O. Box 95
Concord, NH 03301

The City of Portsmouth may assert a business confidentiality claim with respect to part or all of the information submitted to EPA in the manner described at CWA § 308(b) and 40 C.F.R. Part 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means, of the procedures set forth at 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is submitted to EPA, it may be made available to the public by EPA without further notice to the City of Portsmouth.

EPA looks forward to continuing to work with the City and its representatives to ensure that Portsmouth can continue to qualify for a section 301(h) waiver. Should you have any questions or would like to discuss the contents of this letter, please feel free to contact Damien Houlihan, Environmental Engineer, at (617) 918-1586 or Carl DeLoi, Manager, New Hampshire State Unit, at (617) 918-1581.

Sincerely,

Linda M. Murphy

Linda M. Murphy, Director
Office of Ecosystem Protection

cc: Carl DeLoi, Director, New Hampshire State Unit
Damien Houlihan, EPA-New Hampshire State Unit
Eric Hall, EPA-Water Technical Unit
Phil Colarusso, EPA-Water Quality Unit
John Hackler, EPA-NPDES Task Force
Mr. Harry Stewart, Director, NHDES-WD
Mr. George Belandi, NHDES-WD
John R. Bush, Administrator, NHDES-WD, WWEB
Jacques A. Parent, NHDES-WD, SWQB
Jeffrey G. Andrews, NHDES-WD, SWQB
George Neill, NHDES-WD, WWEB
David S. Allen, City Engineer, Portsmouth
James J. Donison, Water/Wastewater Engineer, Portsmouth

Attachment

ATTACHMENT 2 TO EPA SECTION 308 REQUEST LETTER DATED January , 2001

Instructions: Complete and Include With Your Response

DECLARATION

I declare under penalty of perjury that I am

the _____ of _____,
[Title] **[Name of Municipality/District]**

that I am authorized to respond on behalf of

_____ and that the foregoing is a
[Name of Municipality/District]

complete, true, and correct response.

Executed on _____ _____
[Date] **[Signature]**

_____
[Type Name and Title]

PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH
700 Islington Street
Portsmouth N.H. 03801
(603) 427-1530 FAX (603) 427-1539

January 11, 2001

CONSENT DECREE
CIVIL NO. 89-234-D

Monthly Report – DECEMBER 2000

CSO's

Flow monitoring continued at CSO's 10A and 10B. Data for 10A and 10B and the associated rainfall information is attached. There were no dry weather overflows during the month of **December 2000** All requirements relative to Combined Sewer Overflows in paragraph 9 have been met.
The city has submitted a proposed Long Term Control Plan (LTCP) to the EPA and DES for approval. Work has commenced on data collection for the LTCP.

FINAL COMPLIANCE

The Treatment Plant met all of the discharge limits as defined in the existing NPDES permit for the month of **December 2000**

Except for One (1) Coliform violation and Total Flow through the plant. which are described in the supplement

"I certify that the information contained in or accompanying this report is true, accurate, and complete. As to any identified portions of this report for which I cannot personally verify its truth and accuracy, I certify as the official having supervisory responsibility for the person(s) who, acting under my authority, made the verification, that this information is true, accurate and complete."

Prepared by: David S. Allen, P.E.
Deputy Director, Department of Public Works

Date **January 11, 2001**

John P. Bohenko

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SUPPLEMENT TO DMR

January 5, 2000

City of Portsmouth WWTP

NPDES Permit No. NH100234

Discharge No. 001 A

TO: US Environmental Protection Agency
Permit Processing Section
Box 8157
Boston, MA 02114

1. Our NPDES Permit has a total coliform limit of 70/100 ml. In December, we reported a violation on 12/26 @ 500/100 ml.

2. Laboratory procedures were checked and were found to be OK.

3. On December 26, the chlorine residual prior to de-chlor was 34.0 mg/L, the flow was rate was 4.9 MGD. All are well within the normal range for a successful test. The fecal coliform results were <2/100 ml.

4. We have no conclusion for this violation, other than,

5. We feel there may be some interference giving us false positive results with the total coliform analysis, the fecal are almost always within limits. .

Eric Hall

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

JUN 26 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

John P. Bohenko, City Manager
Office of City Manager
Portsmouth City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: **Request for Information Pursuant to Section 308 of the Clean Water Act for the City of Portsmouth's NPDES draft permit NH00100234 and Section 301(h) waiver**

Dear Mr. Bohenko:

This letter is to inform you that after review of your permit application, your Section 301(h) waiver application, your compliance history, and other relevant information, it does not appear to EPA-New England that the Portsmouth Wastewater Treatment Facility will be able to meet the waiver requirements pursuant to Section 301(h) of the Clean Water Act (the "Act").

However, before EPA denies your waiver request and issues Portsmouth a permit based on Part 133 Secondary Treatment Regulations, we want to give the City an opportunity to provide further information which may support continued consideration of a Section 301(h) waiver.

Background

The City of Portsmouth, NH owns and operates a primary wastewater treatment plant which discharges to the Piscataqua River. The City applied for, and obtained a waiver of secondary treatment pursuant to Section 301(h) of the Clean Water Act. The final approval of the 301(h) waiver application came with the issuance of an National Pollutant Discharge Elimination System (NPDES) permit, in 1985, with limitations based on primary treatment. That permit expired in early 1990 along with the Section 301(h)waiver. The treatment plant was constructed under a schedule contained in a federal court order.

After completing construction of its primary treatment plant, the City was unable to consistently meet 30 percent removal of five-day Biochemical Oxygen Demand (BOD_5) and Total Suspended Solids (TSS). Additionally, the City has frequently violated its permitted limits for Total Coliform bacteria. It also routinely discharges total residual chlorine (TRC) in concentrations far in excess of state water-quality standards. Most recently, effluent sampling indicates that the facility would immediately violate Whole Effluent Toxicity (WET) limits in a proposed NPDES permit. These exceedances of technology-based and water quality-based standards make the facility ineligible for a Section 301(h) waiver.

A bypass resulting in bacteria violations in November 2000 demonstrated that the facility's effluent is not immediately flushed out to the Atlantic Ocean, as originally thought. Apparently, the effluent may become entrained along the tidal mud flats upstream and downstream of the treatment work's outfall. This is further supported by a dye study conducted by EPA in May of 1999 which showed that the facility's effluent migrates between Shapleigh Island and Goat Island and into the area known as Little Harbor during ebb tide. Little or no biological monitoring of this area has been performed in support of your Section 301(h) waiver request. Without additional information, EPA cannot make the determination that a balanced indigenous population of shellfish, fish, and wildlife exists in areas beyond the zone of initial dilution where marine life is actually or potentially affected by the discharge.

According to federal regulations, the City must reapply for its 301(h) waiver with each timely NPDES reapplication in order to retain that waiver. EPA must review this application together with any other information available and then decide whether or not a continuation of the Section 301(h) waiver is justified. The implementing regulations for a Section 301(h) waiver are found at 40 Code of Federal Regulations (CFR) Part 125, Subpart G, "Criteria for Modifying the Secondary Treatment Requirements Under Section 301(h) of the Clean Water Act." These regulations were modified and repromulgated in 1994.

Permit Reissuance

The City's NPDES permit expired in early 1990 but remains in effect pursuant to the Administrative Procedures Act. Reissuance of this permit must include a decision on whether or not to reauthorize the Section 301(h) waiver of secondary treatment. EPA has initiated the reissuance of the City's NPDES permit on several occasions since 1990, but because of the ongoing plant problems and the lack of information regarding the discharge's environmental impact on the receiving water, EPA has been unable to make a decision on whether or not to reauthorize the 301(h) waiver.

It is clear that the City's current discharge would not meet proposed effluent limitations for total residual chlorine, whole effluent toxicity, and possibly fecal coliform bacteria on a regular basis (see EPA's November 14, 2000 and January 19, 2001 letters to the City of Portsmouth). In addition, the City has not made the showing that a balanced indigenous population of shellfish, fish, and wildlife exists immediately beyond the zone of initial dilution and in all other areas beyond the zone of initial dilution where marine life is actually or potentially affected by Portsmouth's discharge as is necessary to obtain a Section 301(h) waiver.

Section 308 of the Act, 33 U.S.C. § 1318, authorizes the EPA to require owners and operators of point sources, such as the City of Portsmouth's Wastewater Treatment Facility to provide such

information as EPA may reasonably require in order to carry out the objectives of the Act, including but not limited to developing or assisting in the development of any effluent limitation, or other limitation, prohibition, or effluent standard, pretreatment standard, or standard of performance.

Specifically, the information will be used for the consideration of a Section 301(h) waiver and the development of a NPDES draft permit for the above named facility.

Therefore, pursuant to EPA's authority under Section 308 of the Act, the City of Portsmouth is required to submit the following information to EPA:

1. The City has plans to upgrade its disinfection facilities to correct both the TRC and bacteria violations and believes it has remedied the BOD_5 and TSS percent removal problem by adding chemicals to enhance removal. Within 21 days of receiving this letter, submit the schedule for completing the ongoing modifications to the WWTF. Include a description of all work to be completed as part of the project and estimate the improved effluent quality as a result of such work.

2. Within 30 days of receiving this letter, submit a Toxicity Reduction Evaluation (TRE) study plan and schedule detailing the toxicity reduction procedures to be employed. EPA's Toxicity Reduction Procedures, Phases 1, 2, and 3 (EPA-600/3-88/034, 035, and 036) and TRE protocol for POTW's (EPA-600/2-88/0620) shall be the basis for this plan and schedule. The implementation schedule should describe the time frame for completion of specific components of the TRE plan. The study plan shall include a specific date for concluding whether or not secondary treatment will be necessary to reduce whole effluent toxicity to the proposed effluent limits.

The study plan will be approved and/or modified by EPA and Portsmouth shall comply with the TRE schedule immediately upon such approval and/or modification by EPA.

Portsmouth shall submit the results of the TRE, including a summary of findings, corrective actions required, and data generated per the approved schedule.

3. Within 45 days of receiving this letter collect, analyze, and submit the results of a priority pollutant scan of the effluent as per 40 CFR 122, Appendix J, Tables 1A, 1 and 2.

4. Within 60 days of receiving this letter, submit to EPA and NH DES a proposed sampling plan that will demonstrate that the Portsmouth discharge can meet water quality standards and is protecting the balanced indigenous population. We have enclosed the City of Gloucester's monitoring program for your reference. The May 1999 EPA dye study results shall also be made available to you upon request.

In preparation of this plan, please include proper levels of sample replication and control samples. Upon approval of this plan, Portsmouth will be instructed to begin collecting data. Portsmouth should include monitoring of the "backchannel" and Little Harbor areas. The "backchannel" area is defined as the embayment bordered by Portsmouth, New Castle, and Route 1B.

5. Within 90 days of receiving this letter, submit a complete application pursuant to 40 CFR Part 125, Subpart G "Criteria for Modifying the Secondary Treatment Requirements Under Section 301(h) of the Clean Water Act." (See 40 CFR 125.59(c)).

6. Within 90 days of receiving this letter, submit an updated dilution factor calculation for the presently configured outfall as required by EPA's January 19, 2001 request for information. Also submit any plans to modify the outfall to obtain more dilution.

7. Within 90 days of receiving this letter, submit an inspection report on the condition of the facility's pipe and outfall. This inspection should include a dive survey, video of existing conditions, and any other information necessary to document the condition of the pipe and outfall. The inspection should identify the integrity of any exposed pipe which may be lying on the floor of the estuary leading from the shoreline to the outfall. The report shall include a recommendation for maintenance and/or replacement to ensure that the outfall and pipe are free of defects which would affect the dilution of your effluent in the receiving water.

8. The City shall submit a written report on the status of the plant operation, the plant upgrades, and the progress in satisfying this 308 request one month after receiving this letter. The City shall continue to submit status reports each month until such time as EPA decides the status reports are no longer necessary.

These reports shall include, at a minimum, plant operational data for the previous month including: 30 percent removal of BOD and TSS, chlorine residual, chlorine use for that month (pounds), bacteria (both fecal and total), any equipment malfunctions and corrective actions for such malfunctions, any equipment bypasses, the amount of septage received and its origin, and status of the TRE. The reports will specifically identify any violations of current permit conditions or failure to meet 30 percent removal of BOD or TSS.

These status reports shall include updates on every item in this request as well as reporting on the plant upgrades.

Guidance on How to Respond

Please respond separately to each of the questions, referencing each question by number. The response must include copies of all records and information available to the City that are referenced in the response. As part of the response, please complete the enclosed declaration **(Attachment No. 1)** and provide a cover letter specifying what documentation has been appended to the response to answer each question. If the documentation that supports a response to one item duplicates the documentation that supports the response to another item, submit only one copy of the documentation. The submission must be a self-explanatory, complete response that is dated and signed by an authorized City official.

Important Information About This Request and the Response

Compliance with this Information Request is mandatory. Failure to respond fully and truthfully, or to adequately justify any failure to respond may result in an enforcement action by EPA pursuant to Section 309 of the Clean Water Act, 33 U.S.C. § 1319, which provides for administrative, civil, and criminal penalties. In addition, any person who knowingly submits false information may be subject to criminal prosecution under 18 U.S.C. § 1001.

The information requested herein is not subject to the requirements of the Paperwork Reduction Act.

As indicated above, all requested information must be submitted to EPA as outlined in the information request above. Information submitted pursuant to this Section 308 information request shall be sent by certified mail and shall be addressed as follows:

Linda M. Murphy, Director, CAA
Office of Ecosystem Protection
United States Environmental Protection Agency
1 Congress Street, Suite 1100
Boston, MA 02114-2023
Att: Damien Houlihan

Harry T. Stewart, P.E., Director
Water Division
New Hampshire Department of Environmental Services
P O Box 95
Concord, NH 03302-0095

The City of Portsmouth may assert a business confidentiality claim with respect to part or all of the information submitted to EPA in the manner described at CWA § 308(b) and 40 C.F.R. Part 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and

by means, of the procedures set forth at 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is submitted to EPA, it may be made available to the public by EPA without further notice to the City of Portsmouth.

Unless the City can provide full, complete, accurate, and timely information to support continued consideration of a Section 301(h) waiver, EPA will deny your Section 301(h) waiver request and issue a NPDES permit based on secondary treatment standards, 40 CFR Part 133. The City should be as comprehensive as possible and should supply any and all information which would support the continuation of the Section 301(h) waiver.

Should you have any questions or would like to discuss the contents of this letter, please feel free to contact Damien Houlihan, Environmental Engineer, at (617) 918-1586 or Carl DeLoi, Manager, New Hampshire State Unit, at (617) 918-1581.

Sincerely,

Linda M. Murphy

Linda M. Murphy, Director
Office of Ecosystem Protection

cc: Carl DeLoi, Director, New Hampshire State Unit
Damien Houlihan, EPA-New Hampshire State Unit
Eric Hall, EPA-Water Technical Unit
Phil Colarusso, EPA-Water Quality Unit
John Hackler, EPA-NPDES Task Force
Mr. George Berlandi, NHDES-WD
John R. Bush, Administrator, NHDES-WD, WWEB
Jeffrey G. Andrews, NHDES-WD, SWQB
George Neill, NHDES-WD, WWEB
David S. Allen, City Engineer, Portsmouth
James J. Donison, Water/Wastewater Engineer, Portsmouth
Steven Clifton, Underwood Engineering

Attachment

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I

IN THE MATTER OF

THE CITY OF PORTSMOUTH, NEW HAMPSHIRE
PUBLIC WORKS DEPARTMENT
NPDES No. NH0100234

Proceedings under Section 309(a)(3)
ORDER FOR COMPLIANCE
of the Clean Water Act, as amended,
33 U.S.C. §1319(a)(3)

DOCKET No. 02-15

FINDINGS OF VIOLATION

AND

ORDER FOR COMPLIANCE

STATUTORY AUTHORITY

The following FINDINGS are made and ORDER issued pursuant to Section 309(a)(3) of the Clean Water Act, as amended (the "Act"), 33 U.S.C. §1319(a)(3), which grants to the Administrator of the U.S. Environmental Protection Agency ("EPA") the authority to issue orders requiring persons to comply with Sections 301, 302, 306, 307, 308, 318 and 405 of the Act and any permit condition or limitation implementing any of such sections in a National Pollutant Discharge Elimination System ("NPDES") permit issued under Section 402 of the Act, 33 U.S.C. §1342. This authority has been delegated to EPA's Regional Administrators and further delegated to the Director of EPA, Region I's Office of Environmental Stewardship (the "Director").

The Order herein is based on findings of violations of Section 301 of the Act, 33 U.S.C. §1311, and the conditions of NPDES Permit No. NH0100234. Pursuant to Section 309(a)(5)(A) of the Act, 33 U.S.C. § 1319(a)(5)(A), the Order provides a schedule for compliance which the Director has determined to be reasonable.

FINDINGS

The Director makes the following findings of fact:

1. The City of Portsmouth (the "Permittee"), a municipal corporation established under the laws of the State of New Hampshire, is a municipality under Section 502(4) of the Act.

2. The Permittee is a person under Section 502(5) of the Act, 33 U.S.C §1362(5). The Permittee is the owner and operator of a wastewater treatment facility (the "Facility") and three combined sewer overflow ("CSO") discharge points from which it discharges pollutants, as defined in Sections 502(6) and (12) of the Act, 33 U.S.C. §§1362(6) and (12), from point sources, as defined in Section 502(14) of the Act, 33 U.S.C. §1362(14), to the South Mill Pond and the Piscataqua River. The South Mill Pond and the Piscataqua River are Class B waterways. These receiving waters named above are navigable waters under Section 502(7) of the Act, 33 U.S.C.§1362(7). The Facility is a 4.5 million gallon per day ("MGD") wastewater treatment plant which treats and discharges an average flow of approximately 3.5 MGD of wastewater to the Piscataqua River during dry weather.

3. On January 18, 1985 the Permittee was reissued NPDES Permit No. NH0100234 (the "Permit") by the Director of the Water Management Division of EPA, Region I, under the authority given to the Administrator of EPA by Section 402 of the Clean Water Act, 33 U.S.C. §1342. This authority has been delegated by the Administrator of EPA to the

Regional Administrator of EPA, Region I, who had in turn delegated this authority to the Director of the Water Management Division. The Permit became effective on January 18, 1985.

4. The Permit authorizes the Permittee to discharge pollutants from a point source at the Facility and three CSO discharge points to the South Mill Pond and the Piscataqua River subject to the effluent limitations, monitoring requirements, and other conditions specified in the Permit.

5. Section 301(a) of the Act, 33 U.S.C. §1311(a), makes unlawful the discharge of pollutants to waters of the United States except in compliance with, among other things, the terms and conditions of an NPDES permit issued pursuant to Section 402 of the Act, 33 U.S.C. §1342.

6. Part I.B.1. of the Permit requires that CSO discharges receive treatment at a level necessary to achieve water quality standards and that CSOs not cause violations of State Water Quality Standards.

7. Part II(m) of the Permit prohibits bypass of the wastewater treatment plant unless the Permittee shows, among other things, that the bypass was unavoidable to prevent loss of life, personal injury and severe property damage, and that there was no feasible alternative to the bypass.

8. In January 1991 the Permittee's consultant (then Whitman & Howard, Inc.) completed a Combined Sewer Overflow Abatement Program ("1991 Plan") which was subsequently submitted to EPA and New Hampshire Department of Environmental Services (NH DES). The 1991 Plan described the monitoring, modeling, impact assessment, and alternative analysis of the combined sewer system.

9. Chapter 6 of the 1991 Plan reports the results of the 1990 CSO quality monitoring program for conventional parameters (see Table 6-2 on page 6-3 of the CSO Facilities Plan). All of the Total coliform bacteria concentrations measured in the CSO discharges exceeded the then effective water quality standards bacteria criterion, 240 colonies/100 ml for State of New Hampshire Class B receiving waters. Wet weather monitoring of CSO impacted receiving waters showed that these receiving waters violated the State's then effective water quality standards bacteria criterion (see Tables 6-3 through 6-15 on pages 6-7 through 6-25 of the CSO Facilities Plan). The Permittee's CSO discharges therefore contributed to violations of the State's water quality standards, thereby violating Part I.D.1 and I.D.2. of the NPDES Permit.

10. The Draft CSO Long Term Control Plan ("Draft LTCP") submitted by the City's consultant (Underwood Engineers, Inc.) on February 8, 2002 summarized Facility wastewater flows and overflows from the two permitted CSO structures for the period July 1995 through April 1998. These two permitted overflows, 010A and 010B, are

identified as continuing to discharge without treatment in violation of the State's water quality standards, thereby violating Part I.D.1 and I.D.2. of the NPDES Permit. The Draft LTCP also identified a third combined sewer overflow point at the Deer Street Tide Chamber adjacent to the Deer Street pumping station. This overflow point discharges untreated CSOs to the Piscataqua River in violation of the State's water quality standards.

ORDER

Accordingly, pursuant to Section 309(a)(3) of the Clean Water Act, it is hereby ordered that the Permittee shall:

1. By **August 1, 2002** submit a final Long Term Control Plan ("LTCP") for CSOs outlining the steps and schedule by which the City will come into compliance with its permit and the New Hampshire water quality standards. Then LTCP shall conform to the EPA *Combined Sewer Overflow Policy*, 1994, and the EPA *Combined Sewer Overflows-Guidance for Financial Capability Assessment and Schedule Development*, 1997.

2. By **August 1, 2002** submit an update of the *Portsmouth Nine Minimum Controls for Combined Sewer Overflows,* January 14, 1997. The update shall identify a control as completed or provide a schedule for those controls not yet complete. For those controls described as ongoing, provide the implementation strategy and any written operating guidance or manuals as well a description of the record keeping requirements.

3. By **February 28, 2003**, complete the Preliminary Design Report ("Report") for the combined sewer area. The Report will identify and map each of the projects to be conducted and contain a schedule for final design and construction for each project.

4. By **March 3, 2003**, advertise bids for the construction of the Area #1 Project in the vicinity of Outfalls 010A and 010B.

NOTIFICATION PROCEDURES

1. Where this Order requires a specific action to be performed within a certain time frame, the Permittee shall submit a written notice of compliance or noncompliance with each deadline. Notification must be mailed within fourteen (14) days after each required deadline. The timely submission of a required report shall satisfy the requirement that a notice of compliance be submitted.

2. If noncompliance is reported, notification should include the following information:
   a. A description of the noncompliance;
   b. A description of any actions taken or proposed by the Permittee to comply with the elapsed schedule requirements;
   c. A description of any factors which tend to explain or mitigate the noncompliance;
   d. An approximate date by which the Permittee will perform the required action.

3. After a notification of noncompliance has been filed, compliance with the past requirement shall be reported by submitting any required documents or providing EPA with a written

report indicating that the required action has been achieved.

4. Submissions required by this Order shall be in writing and should be mailed to the following addresses:

Samuel Silverman, Acting Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency
Post Office Box 8127
Boston, MA 02114-2023
Attn: Eric Hall, SEW

G. Dana Bisbee, Assistant Commissioner
New Hampshire Department of Environmental Services
Wastewater Engineering Bureau
Permits and Compliance
6 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095
Attn: George Berlandi

GENERAL PROVISIONS

1. The Permittee may, if it desires, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to the Permittee. The Permittee should read the above-cited regulations carefully before asserting a business confidentiality claim since certain categories of information are not properly the subject of such a claim.

For example, the Clean Water Act provides that "effluent data" shall in all cases be made available to the public. See Section 308(b) of the Act, 33 U.S.C. § 1318(b).

2. This Order does not constitute a waiver or a modification of the terms and conditions of the Permit. The Permit remains in full force and effect. EPA reserves the right to seek any and all remedies available under Section 309 of the Act,33 U.S.C. § 1319, as amended, for any violation cited in this Order and Section 308 information request.

3. This Order shall become effective upon receipt by the Permittee.

7-11-02

Date

Sam Silverman

Samuel Silverman, Acting Director
Office of Environmental Stewardship
Environmental Protection Agency, Region I

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

OCT 9 2001

John P. Bohenko, City Manager
Office of City Manager
Portsmouth City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: **Comments on July 28, 2001, Toxicity Reduction Evaluation and August 27, 2001, Monitoring Program for the Peirce Island Wastewater Treatment Plant**

Dear Mr. Bohenko:

EPA has reviewed the July 28, 2001, Toxicity Reduction Evaluation and the August 27, 2001, 301(h) Monitoring Program for the Peirce Island Wastewater Treatment Plant prepared by Underwood Engineering. Our comments are attached to this letter.

Please update and resubmit the Scope of Work documents for both the TRE and Monitoring Program within two weeks of your receipt of this letter. If you have any questions regarding this matter, please contact Damien Houlihan at (617) 918-1586.

Sincerely,

Linda M. Murphy

Linda M. Murphy, Director
Office of Ecosystem Protection

cc: Eric Hall, EPA-Water Technical Unit
George Berlandi, NHDES-WD
Steven Clifton, Underwood Engineering

Comments on July 28, 2001, Toxicity Reduction Evaluation and August 27, 2001 Monitoring Program for the Peirce Island Wastewater Treatment Plant

I. Toxic Reduction Evaluation

1. Pg. 2. In the last paragraph, you state that the plant would not meet an LC_{50} of 50% effluent no matter what dilution is achieved. You further go on to state that primary effluent has a high oxygen demand and you believe this is the primary reason for the toxicity. You also state that you have requested EPA to modify its toxicity policy for primary plants.

   EPA does not consider primary plants a separate category with regard to toxicity. Toxicity limits are not "technology based" but instead are based on water quality considerations. EPA's toxicity policy is based on a facility's available dilution which, (absent site-specific information to warrant different limitations), applies to your discharge. However, since this is a policy and not regulation, EPA is willing to consider additional information from your TIE/TRE work and a further evaluation of outfall options and instream dilution. After the TIE/TRE is completed and a dilution factor is well established, it may be possible to establish scientifically supported site-specific WET limits for the Peirce Island discharge. It is also possible that a level of effluent toxicity reduction may still be needed even if additional dilution is achieved.

   It may be possible to address low dissolved oxygen (D.O.) in the Menidia Beryllina toxicity test through aeration during the test in accordance with the EPA methods (i.e., eliminate low oxygen as the cause of toxicity. Aeration can alter the test solutions in other ways as well and this needs to be considered). It is EPA's understanding that the February 2001 test was not aerated but the March 2001 test was. Both tests showed toxicity. Therefore, it appears that there are factors in addition to low D.O. affecting the toxicity of the effluent.

   You are required, pursuant to your waiver application, to show the Peirce Island plant will not cause an exceedence of the State of New Hampshire dissolved oxygen water quality criteria. See part III.B of Appendix to 40 CFR Part 125, Subpart G. If the primary effluent is not sufficient to ensure attainment and maintenance of water quality standards for D.O., then additional wastewater treatment will be necessary.

   The comments above also apply to the statement at bottom of page 8 that "... toxicity of the effluent, which is believed to be due to the nature of primary effluent ...", the top of page 25 that "It is believed that the toxicity is due to the inherent nature of primary effluent ...", and the bottom of page 25 under "Revised Permit Limit for Acute Toxicity."

2. Pg. 7, TRE Flow Diagram. An additional line should connect the "Additional Information Required" decision box under the "Toxic Source Evaluation" box indicating that, yes, more additional information is required. This line should connect back to the "Toxicity Identification Evaluation" box above. See page 4, Figure 1-1 of EPA document 833-B-99-002, Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants.

3. Pg. 6, Task I, Information and Data Acquisition. More emphasis should be placed on this task than is outlined in the Scope of Work. Specifically, the City should: 1) summarize plant performance including chlorine use, dechlorination chemical use, addition of polymers and chemicals such as ferric chloride, effluent BOD and TSS concentrations, effluent pH, alkalinity, TRC, Iron, and ammonia; 2) summarize information from any industrial waste surveys and/or collect such information. Industrial source site visits (including food service establishments) should be a part of this, and; 3) summarize existing commercial and industrial flows with information from permit applications and user compliance reports and any pretreatment program data that may exist, and evaluate chemical and cleaning agent use.

4. Pg. 7, Facility Performance Evaluation. Under the second paragraph of this section, the sentence "... a dosage of approximately 10 -30 gallons per day of 40 % ferric chloride per million gallons of wastewater and polymer is injected into the effluent ..." This is somewhat confusing. Why is the ferric chloride described as 10 -30 gallons per day per million gallons of wastewater? Shouldn't it be either 10 -30 gallons per day or 10 -30 gallons per million gallons of wastewater, which can then be translated to gallons per day of ferric chloride based on the plant daily flow? These numbers need to be clearly established as part of the facility performance evaluation. Also, a description of how the dosage rates of ferric chloride and polymer were established would be helpful. Are the ferric chloride and polymer automatically applied based on waste flow rate or is the dosage manually adjusted? Do these amounts fall within expected range based on the manufacturers's specification or other WWTF's experiences? Are the ferric chloride and polymer performing as expected? How does Portsmouth's ferric chloride and polymer use, and BOD and TSS removal rates, compare with other facilities using chemical addition?

5. Pg. 8, Facility Performance Evaluation. The operation and performance data collected under Task I should be reviewed here. Also, the exact location, depth, and condition of the outfall pipe needs to be determined.

   The goal of this task should be to indicate possible in plant sources of toxicity or operational deficiencies that may be contributing to the effluent toxicity. Given the history of performance and operation of the Peirce Island WWTF, EPA recommends more emphasis be placed on this section than that which is contained in the Scope of Work.

Plant performance and operation should be investigated and definitively eliminated as the source of the effluent toxicity before proceeding to the TIE. It is unclear to EPA how the third bullet, pg. 9, "Comprehensive schedule showing Wastewaster Capital Improvements for collection, treatment and disposal" is a useful item in the evaluation of current plant performance.

6. Pg. 11, last sentence of first paragraph, "Based on the anticipated increase in dilution factor, no chronic toxicity testing will be required and only toxicity information (i.e., mortality data) will be used in the TIE." Does this statement constitute a commitment, by the City, to increase the dilution to at least 100:1 by modifying the outfall with a diffuser, or is this in reference to additional modeling of available dilution? This should be made clear to EPA and the NH DES.

7. The second paragraph, second sentence, "Because mysids (M. bahia) and fish (M. beryllina) have shown similar sensitivity to the toxicants in the Peirce Island WWTF effluent, ..." This sentence indicates that toxicity tests have been done using M. bahia. EPA is unaware of any such tests. Have such tests been performed? If so, why were the results not submitted to EPA? Please clarify.

8. Table 1 on page 14 lists the chemical analysis which will be performed on final effluent. Since this POTW used an unusually high amount of chlorine, in addition to adding ferric chloride, it may be beneficial to look for chlorine produced byproducts in the effluent.

9. Pg. 20, 6th paragraph, "Since the Peirce Island WWTF provides only primary treatment of the effluent, ammonia will be tentatively considered one of the "suspect" toxicants, and will be regularly measured throughout the TIE using an ion selective probe." EPA agrees that ammonia should be considered one of the suspect toxicants. Therefore, shouldn't ammonia be considered first, since it would be relatively easy and inexpensive to determine, i.e., shouldn't some up front evaluation of key suspects, such as ammonia, be performed?

10. Pg. 25, last paragraph. Again, reference is made to the City "... pursuing fieldwork and engineering evaluations for a multi-port diffuser or the Peirce Island WWTP." Is the City committing to modifying the outfall to get 100:1 dilution, or just evaluating it? This needs to be made clear. At this point, EPA is assuming a dilution of 22:1, based on information received.

11. Pg. 28. This schedule may need to be revised based on the comments contained in this letter. Also, EPA's Clean Water Act Section 308 letter requires that "The study plan include a specific date for concluding whether or not secondary treatment will be necessary ...". This date was not provided in the Scope of Work and should be submitted to EPA.

II. Water Quality Monitoring

1. Water quality sampling in the Piscataqua River can be challenging due to rapid tidal currents. Please elaborate on what contingencies will be taken to ensure that sampling does occur at the intended depths.

2. For stations deeper than 10 meters, samples should be taken every 5 meters.

3. One additional sampling station should be placed downstream of the outfall in the main stem of the Piscataqua River. We do know that the plume does at times go into Back Cove and eventually Little Harbor, but we do not know if that direction of plume dispersion occurs all the time, thus one additional sampling station downstream of the outfall in the main stem of the Pistaqua River between 500-1000 feet from the discharge seems an appropriate safeguard.

III. Biological Monitoring

1. As designed, this biological monitoring program does a good job examining potential impacts to soft-bottom benthic communities. However, based on the results of the water quality monitoring plan, it may become necessary to revise the biological monitoring program.

State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-2982

December 31, 2001

Mr. Damien Houlihan, Environmental Engineer
Office of Ecosystem Protection
United States Environmental Protection Agency
1 Congress Street, Suite 1100
Boston, Massachusetts 02114-2023

Subject: Portsmouth Wastewater Treatment Facility
NPDES/State Surface Water Discharge Permit No. NH0100234

Dear Ms. Murphy:

We are in receipt of a copy of two letters addressed to Linda M. Murphy, Director, and to your attention, dated September 26, 2001 from Mr. John Bohenko, City Manager, City of Portsmouth. Each letter contained an attached letter report prepared by Underwood Engineers, Inc. The first letter report provided an estimate performed in February 2001 of the dilution factor for the existing single port outfall and the second letter report included the results of an underwater inspection of the outfall. These reports were in response to Items 6 and 7 of 8 of the Clean Water Act Section 308 Information Request from EPA to the City of Portsmouth.

The purpose of this letter is to report that we have completed our review of the two reports and to offer the following comments and recommendations:

1. The first report contains a copy of the "NH Method for Determining Dilution Factors for Marine/Estuarine Discharges" dated July 27, 1995. Please find enclosed the latest revision dated January 28, 2000.

2. Using the new information on the outfall obtained during the diver survey and provided in the second report, we revised Cormix run filename 887spring1 found in the first report. Changes included increasing the vertical angle of discharge (theta) from 0 degrees to 45 degrees, increasing the port height off the river bottom from 1 foot to 2 feet, and increasing the port diameter from 24-inches to 27.5 inches. The dilution at the limiting mixing zone condition of 50 percent of river width was reduced from 34.8 to 28.1 (see attached file "portsmouth1a").

Based on our review of the two reports we concur with the conclusion that a dilution factor greater than 22 and up to approximately 30 is likely to be achieved for the design flow of 4.8 mgd for the existing outfall configuration. We also believe that, due to the depth at the discharge location, a dilution approaching or if not equal to 100 could be achieved if a multiport diffuser were installed. Until such time as additional modeling can be performed using ambient data collected in the vicinity of the outfall during the 1 percent occurrence low spring and neap tides, however, all permit limits should be based on the previous estimate of dilution of 22.

Please call me at 271-2984 if you have any questions relative to this letter.

Sincerely,

Jeffrey G. Andrews, P.E.
Sanitary Engineer
Wastewater Engineering Bureau

Attachments: 1. January 28, 2000 revisions to NH Method for Determining Dilution Factors for Marine/Estuarine Discharges
2. Cormix single port model run filename Portsmouth1a

JGA/55
cc: Carl DeLoi, EPA-Boston
Fred Gay, EPA-Boston
Eric Hall, EPA-Boston
Sharon Ducharme, P.E., DES-WWEB
George Neill, P.E., DES-WWEB
John Bohenko, City of Portsmouth
David Allen, P.E., City of Portsmouth
Steven Clifton, P.E., Underwood Engineers, Inc.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
ONE CONGRESS STREET
SUITE 1100, SEW
BOSTON, MASSACHUSETTS 02114-2023

March , 2002

David S. Allen, P.E.
City Engineer
Public works Department
700 Islington Street
Portsmouth, NH 03801

Re: Comments on CSO Draft Long Term Control Plan
Portsmouth NPDES Permit No, NH0100234

Dear Mr. Allen:

I have reviewed the Draft Workplan for the Combined Sewer Overflow Long Term Control Plan (Workplan) and discussed its contents with George Berlandi of the New Hampshire Department of Environmental Services. We believe the tasks and schedules outlined in the Workplan reflect an understanding of the nature and scope of the problem the City faces in reaching its target of achieving compliance with water quality standards in the Portsmouth area. Based on our review we offer the following comments:

1. The Workplan discusses primarily the two permitted overflows to South Mill Pond while the Draft Final 201 Facilities Plan Update, November 19, 1999, in Section 4 mentions several other acting or potential overflows and a number of "cross connections" between the sanitary and storm sewer systems. This Workplan and subsequent Long Term Control Plan ("LTCP") must deal with all constructed overflows, incidental relief points, and connections (accidental or otherwise) between the sanitary and storm systems. The City must identify and report incidents and locations of combined sewage overflow to New Hampshire and EPA as soon as they are discovered in order that they may be included in the City's NPDES permit. Dry weather overflows and overflows from the separate portion of the sanitary system must be reported to New Hampshire and EPA and eliminated as soon as possible.

2. Page 2: **Identify Water Quality and CSO Controls**

   a. NH DES has established water quality classifications for the receiving waters in and surrounding Portsmouth. These classifications specify criteria for a variety of constituents that must be complied with at all times except where explicitly waived.
   b. The goals for the receiving waters have been established in the water quality standards by NH DES. An activity that may be valuable in this section is the

identification of sensitive resource areas within the study area. Sensitive resources include those such as shellfish habitat, shellfish harvesting, aquatic life spawning or other sensitive life stages, swimming, small boating, or areas with considerable shoreline activity (i.e., the areas bordering North and South Mill Ponds.)

c. The CSO control goal is full compliance with established water quality standards. One of the CSO control alternatives to be examined must be elimination of CSO discharges through capture or separation.

3. Page 2: **Public & Regulatory Participation Program**

a. A specific number of meetings and reports are listed in this section. There should be flexibility in the number and scheduling of the meetings perhaps by adding "or as needed." Also, these meetings and reports should be aligned with milestones in the LTCP development: system characterization or model development for example.

4. Page 2: **Combined Sewer System Characterization**

a. This section should contain a task to locate, map, and describe any portion of the CSS that does or may act as a relief point for wastewater. Those discharge locations not targeted for immediate removal will dealt with during the LTCP development.

b. The number of flow monitors and the rationale for choosing the number and locations should be described.

c. CSOs 010A and 010B, the Deer Street tide chamber, and any other relief or overflow points should be monitored for overflow frequency, duration, and volume.

d. Mapping of the City's storm drainage system should include identified (corrected and uncorrected) contaminated stormwater discharge points based on information collected by the City or others. All combined manholes should be identified and their structural status described with respect to the potential for cross connection of storm and sanitary sewage.

5. Page 3: **CSO Characterization**

a. What is the basis for the assumption that metals are a constituent of concern? How would these data be used in the LTCP?

b. Overflow frequency, duration, and volume are the most important characteristics of an overflow. A complete understanding of the CSS hydraulics is critical in the

characterization of an outfall or group of connected outfalls.

c. Bench scale evaluations of chlorination/dechlorination should be accompanied by sonic or physical vibration of the samples and subsequent recounting of the bacteria to mimic the breakup of sewage solids in the receiving water. Studies have shown significant increases in bacterial counts in receiving waters (and laboratory agitated samples) compared to samples collected immediately following high-dose disinfection due to solids shielding of bacteria.

6. Page 3, **Receiving Water Characterization**

a. This section should be expanded to describe how this information might be used. How will similarities or differences in bacterial populations factor into the decision making regarding CSO control?

b. This section states that the fecal/cocci ratios will help identify sources of bacterial contamination "within the pond." As mentioned above, all overflow points and receiving waters should be evaluated, not only 010A and 010B.

7. Page 3 and 4, **SWMM Modeling**

a. An additional item that should be considered is assessing the system's ability to store and transport the maximum wet weather flow to Peirce Island for treatment and its impact on the POTW's operation and compliance. While this is one of the Nine Minimum Controls (Bullet 4 in the Workplan), it is important to highlight maximizing flow to the treatment plant.

8. Page 4, **Phase II - Long Term Controls Alternatives Evaluation**

a. Until a demonstration is made that it is infeasible to eliminate CSOs or their impacts, the initial CSO goals and the water quality standards used to set the goals remain in effect. An iterative process of evaluating CSO control alternatives and receiving water impacts may then begin involving the City, regulatory agencies, and the public.

b. Amendments to the New Hampshire water quality standards are not made based on cost/benefit factors but based on the avoidance of "substantial and widespread economic and social impact." [40 CFR 131.10(g)(6)] Cost/performance evaluations are certainly necessary in the development and evaluation of alternative controls and the assessment of combinations of alternatives. However, the recommended LTCP is based on achieving current water quality standards or accomplishing the highest possible water quality deemed affordable within the State and EPA regulations.

9. The **Development Schedule** time line included with the **Draft Workplan** should be aligned with the phases and work elements listed in the workplan. This would aid in the understanding of how work is to progress and how elements are tied together.

I hope these comments are helpful in the development of a final workplan. Please call me with any questions at (617) 918-1880. I can also be reached by Email at *hall.eric@epa.gov* or by FAX at (617) 918-1810. I look forward to working with the City and its consultants along with the New Hampshire DES to complete this process.

Sincerely,

Eric P. Hall, Environmental Engineer
Water Compliance Unit

cc: George Berlandi, NHDES
Carl DeLoi, EPA, CNH
Michael Wagner, EPA, SEL

May 18, 2000

David S. Allen, P.E.
City Engineer
Public works Department
700 Islington Street
Portsmouth, NH 03801

Re: Workplan for CSO Long Term Control Plan
Portsmouth NPDES Permit No, NH0100234

Dear Mr. Allen:

I have reviewed the Draft Workplan for the Combined Sewer Overflow Long Term Control Plan (Workplan) and discussed its contents with George Berlandi of the New Hampshire Department of Environmental Services. We believe the tasks and schedules outlined in the Workplan reflect an understanding of the nature and scope of the problem the City faces in reaching its target of achieving compliance with water quality standards in the Portsmouth area. Based on our review we offer the following comments:

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    b. The goals for the receiving waters have been established in the water quality standards by NH DES. An activity that may be valuable in this section is the

CONCURRENCES							
SYMBOL ▸							
SURNAME ▸							
DATE ▸							

CITY OF PORTSMOUTH
DEPARTMENT OF PUBLIC WORKS
INTEROFFICE MEMORANDUM

To: Jack Kane

CC: David Allen, Mike Jenkins, Artie Lane, Art Hoffman, Tom Richter, and Peter Rice

From: Jim Donison JJD

Date: January 9, 2001

RE: CSO 10A and CSO10B – December 2000 Results

See attached CSO flow monitoring and rainfall results for December 2000 to be attached to the DMR report for the Peirce Island WWTF.

Note the rainfall related CSO events for:

CSO10A

12-17-00;Q= 1.15 MG (2.14 inch rain)

12-18-00; Q=0.05 MG (0.02 inch rain)

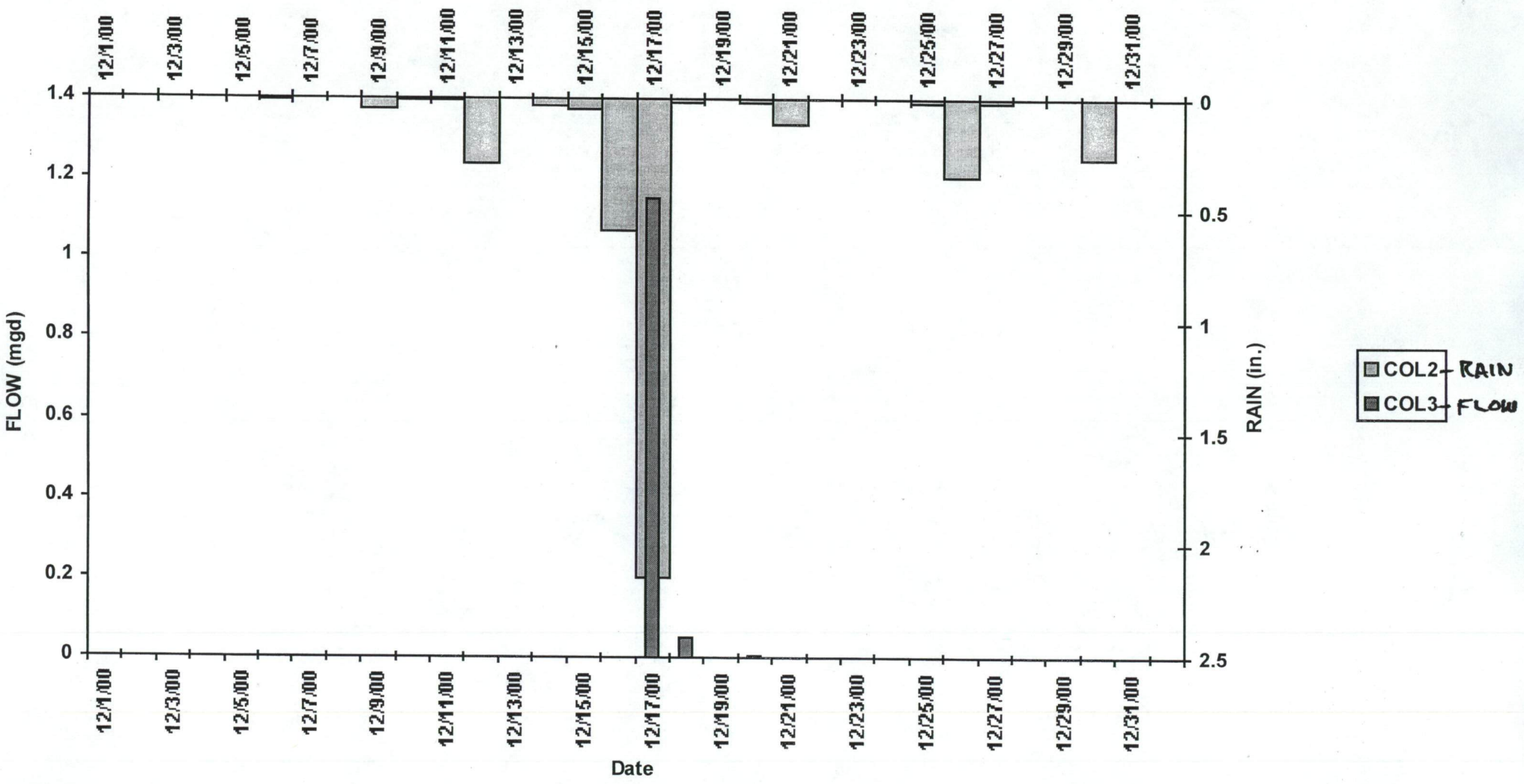
Total Month Q=1.20 MG (4.00 inch rain)

CSO10B

No Events

CSO10A - Flow and Rain vs Time (day)

Site:CSO10A0000 127 Parrot Ave,Portsmouth, NH



Daterange: 12/01/00 00:00-01/01/01 00:00
Territory: Portsmouth, NH
Region: Monitoring Sites

Primary Device: Area Velocity
Silting(in): 0
920 F.M. VERSION: 1.03

Location: 127 Parrot Ave,Portsmouth, NH
Site ID: 00000010
Serial#: R5U

CSO10A - Monthly Flow and Rain Summary Report

Site:CSO10A0000 127 Parrot Ave,Portsmouth, NH

Daterange: 12/01/00-01/01/01 | Primary Device: Area Velocity | Location: 127 Parrot Ave,Portsmouth, NH

Territory: Portsmouth, NH | Shape: Round Pipe | Site ID: 00000010

Region: Monitoring Sites | Diameter(ft): 2.5 | Serial#: R5U

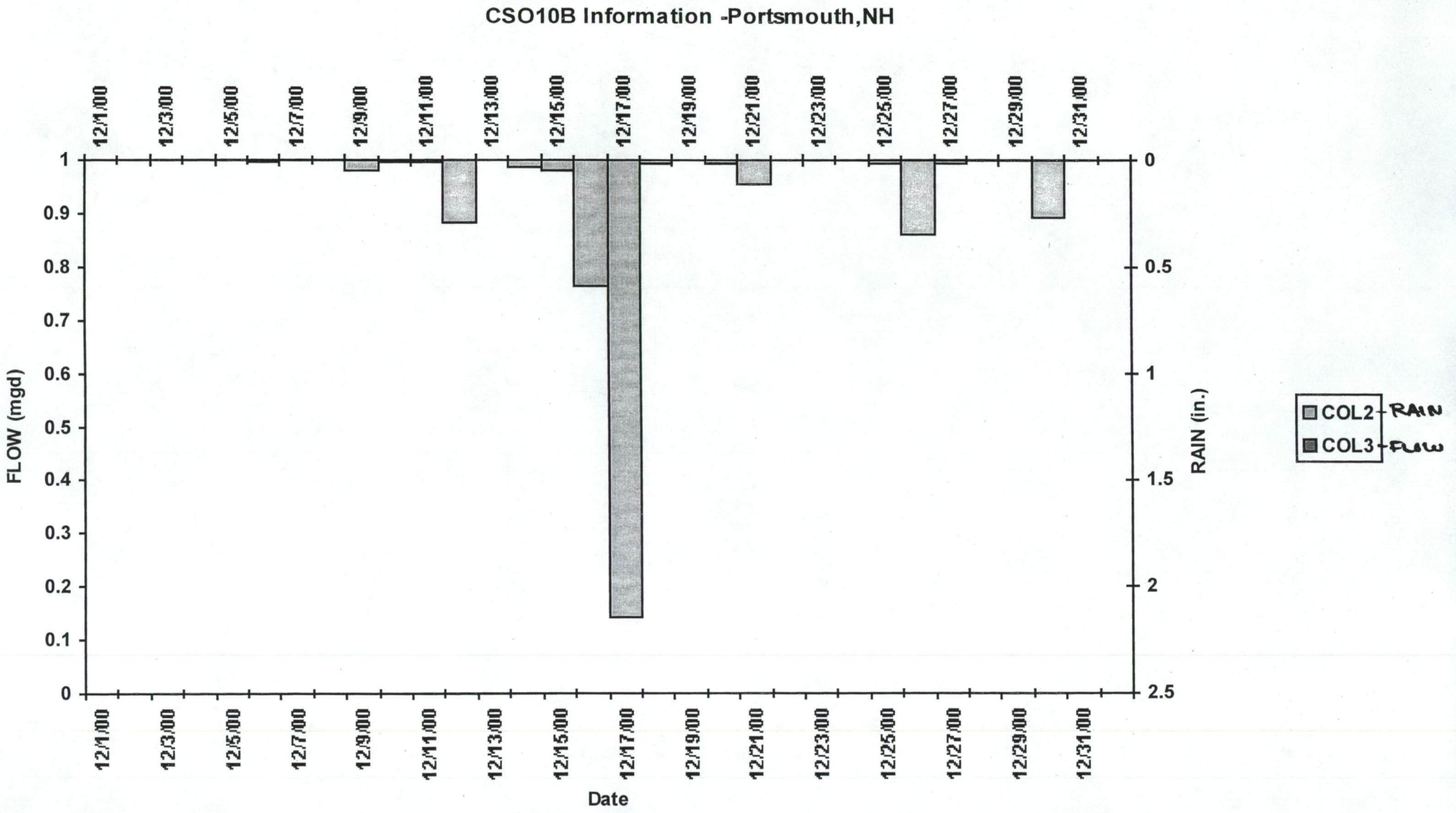
Date	Flow Avg (mgd)	Min Flow Min (mgd)	Max Flow Max mgd)	Rain-CityH day total inches	Rain-DeerS day total inches
12/01/00	.0000	.0000	.0000	.0000	.0000
12/02/00	.0000	.0000	.0000	.0000	.0000
12/03/00	.0000	.0000	.0000	.0000	.0000
12/04/00	.0000	.0000	.0000	.0000	.0000
12/05/00	.0000	.0000	.0000	.0000	.0000
12/06/00	.0000	.0000	.0000	.0100	.0000
12/07/00	.0000	.0000	.0000	.0000	.0000
12/08/00	.0000	.0000	.0000	.0000	.0000
12/09/00	.0000	.0000	.0000	.0500	.0000
12/10/00	.0000	.0000	.0000	.0100	.0000
12/11/00	.0000	.0000	.0000	.0100	.0100
12/12/00	.0000	.0000	.0000	.2900	.0900
12/13/00	.0000	.0000	.0000	.0000	.0000
12/14/00	.0000	.0000	.0000	.0300	.0100
12/15/00	.0000	.0000	.0000	.0500	.0100
12/16/00	.0000	.0000	.0000	.5900	.8200
12/17/00	1.1508	-.0417	9.2723	2.1400	2.0900
12/18/00	.0516	.0000	.8071	.0200	.0000
12/19/00	.0000	.0000	.0000	.0000	.0000
12/20/00	.0050	.0000	.2439	.0200	.2800
12/21/00	.0000	.0000	.0000	.1100	.0000
12/22/00	.0000	.0000	.0000	.0000	.0000
12/23/00	.0000	.0000	.0000	.0000	.0000
12/24/00	.0000	.0000	.0000	.0000	.0000
12/25/00	.0000	.0000	.0000	.0200	.0000
12/26/00	.0000	.0000	.0000	.3500	.0000
12/27/00	.0000	.0000	.0000	.0200	.0000
12/28/00	.0000	.0000	.0000	.0000	.0000
12/29/00	.0000	.0000	.0000	.0000	.0000
12/30/00	.0000	.0000	.0000	.2700	.3800
12/31/00	.0000	.0000	.0000	.0000	.0000

REPORT STATISTICS

Min.	**.0000**	**-.0417**	**.0000**	**.0000**
Avg.	**.0389**	**-.0013**	**.3330**	**.1287**
Max.	**1.1508**	**.0000**	**9.2723**	**2.1400**
Total	**1.2074 mg**			

CSO10B - Flow and Rain vs Time (day)

Site:CSO10B0000 10B Parrott Ave @ Rogers



Daterange: 12/01/00 00:00-01/01/01 00:00
Territory: Portsmouth, NH
Region: Monitoring Sites

Primary Device: Area Velocity
Silting(in): 0
920 F.M. VERSION: 1.03

Location: 10B Parrott Ave @ Rogers
Site ID: 00000010
Serial#: RZ5

CSO10B - Monthly Flow and Rain Summary Report

Site:CSO10B0000 10B Parrott Ave @ Rogers

Daterange: 12/01/00-01/01/01
Territory: Portsmouth, NH
Region: Monitoring Sites

Primary Device: Area Velocity
Shape: Rectangular
Width(ft): 3
Depth(ft): 2

Location: 10B Parrott Ave @ Rogers
Site ID: 00000010
Serial#: RZ5

Date	Flow Avg (mgd)	Min Flow Min (mgd)	Max Flow Max mgd)	Rain-CityH day total inches	Rain-DeerS day total inches
12/01/00	.0000	.0000	.0000	.0000	.0000
12/02/00	.0000	.0000	.0000	.0000	.0000
12/03/00	.0000	.0000	.0000	.0000	.0000
12/04/00	.0000	.0000	.0000	.0000	.0000
12/05/00	.0000	.0000	.0000	.0000	.0000
12/06/00	.0000	.0000	.0000	.0200	.0000
12/07/00	.0000	.0000	.0000	.0000	.0000
12/08/00	.0000	.0000	.0000	.0000	.0000
12/09/00	.0000	.0000	.0000	.1000	.0000
12/10/00	.0000	.0000	.0000	.0200	.0000
12/11/00	.0000	.0000	.0000	.0200	.0200
12/12/00	.0000	.0000	.0000	.5800	.1800
12/13/00	.0000	.0000	.0000	.0000	.0000
12/14/00	.0000	.0000	.0000	.0600	.0200
12/15/00	.0005	.0000	.1563	.1000	.0200
12/16/00	.0000	.0000	.0000	1.1800	1.6400
12/17/00	.0000	.0000	.0000	4.2800	4.1800
12/18/00	.0000	.0000	.0000	.0400	.0000
12/19/00	.0000	.0000	.0000	.0000	.0000
12/20/00	.0000	.0000	.0000	.0400	.5600
12/21/00	.0000	.0000	.0000	.2200	.0000
12/22/00	.0000	.0000	.0000	.0000	.0000
12/23/00	.0000	.0000	.0000	.0000	.0000
12/24/00	.0000	.0000	.0000	.0000	.0000
12/25/00	.0000	.0000	.0000	.0400	.0000
12/26/00	.0000	.0000	.0000	.7000	.0000
12/27/00	.0000	.0000	.0000	.0400	.0000
12/28/00	.0000	.0000	.0000	.0000	.0000
12/29/00	.0000	.0000	.0000	.0000	.0000
12/30/00	.0000	.0000	.0000	.5400	.7600
12/31/00	.0000	.0000	.0000	.0000	.0000

REPORT STATISTICS

Min.	**.0000**	**.0000**	**.0000**	**.0000**	**.0000**
Avg.	**.0000**	**.0000**	**.0050**	**.2574**	**.2381**
Max.	**.0005**	**.0000**	**.1563**	**4.2800**	**4.1800**
Total	**.0005 mg**	**.0000 mgd**	**.0050 mgd**		

CITY OF PORTSMOUTH
REQUEST FOR PAYMENT VOUCHER

New ☐

Vendor # 30084

Name Treasurer of the United States

Address US Attorney for the District of NH

55 Pleasant Street, Room 312

Concord, N.H. 03301-3904

Bid number_____

TIN # (only if new) _____

			ACCOUNT #								
			FUND	DEPT	DIV	SUB-DIV	LOCATION	STATE	OBJECT		
INITIAL & DATE	INVOICE #	DATE	XX	XXX	XXX	XX	XXX	XXX	XXXXXX	AMOUNT	DESCRIPTION
	010501	3-65-30	51	751	610	51	100	491	032001	$ 300.00	one coliform violation for Dec.

Purchasing Approved _____ VOUCHER TOTAL: $300.00

DEPT. SIGNATURE [signature]

City Auditor Reviewed _____ DATE 1/11/2001

DEPT. SIGNATURE _____

DATE _____

ACCOUNTS PAYABLE _____

Special Instructions: _____

one coliform violation for December

PUBLIC WORKS DEPARTMENT
CITY OF PORTSMOUTH
700 Islington Street
Portsmouth N.H. 03801
(603) 427-1530 FAX (603) 427-1539

September 11, 2000

CONSENT DECREE
CIVIL NO. 89-234-D

Monthly Report – August 2000

CSO's

Flow monitoring continued at CSO's 10A and 10B. Data for 10A and 10B and the associated rainfall information is attached. There were no dry weather overflows during the month of **August 2000**. All requirements relative to Combined Sewer Overflows in paragraph 9 have been met.
The city has submitted a proposed Long Term Control Plan (LTCP) to the EPA and DES for approval. Work has commenced on data collection for the LTCP.

FINAL COMPLIANCE

The Treatment Plant met all of the discharge limits as defined in the existing NPDES permit for the month of **August 2000**
Except for two (2) Coliform violations which are described in the supplement

"I certify that the information contained in or accompanying this report is true, accurate, and complete. As to any identified portions of this report for which I cannot personally verify its truth and accuracy, I certify as the official having supervisory responsibility for the person(s) who, acting under my authority, made the verification, that this information is true, accurate and complete."

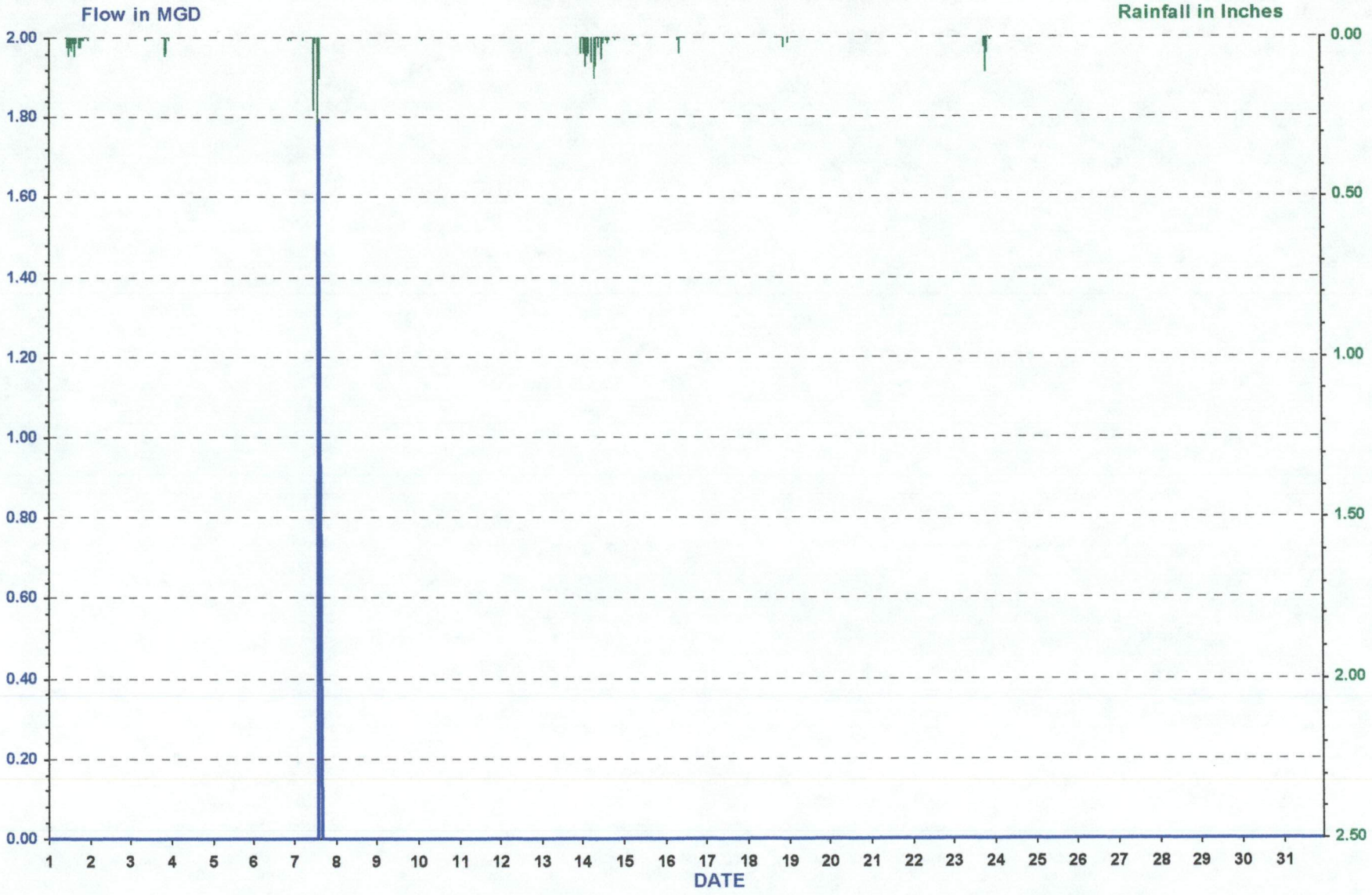
Prepared by: David S. Allen, P.E.
City Engineer

Date **September 11, 2000**

John P. Bohenko
City Manager

FLOW HYDROGRAPH

PORTSMOUTH, NH - SOUTH MILL POND
CSO 10A 127 PARROTT AVE.



Flow Data For: 08/01/2000 - 08/31/2000

Site 1 Rain

Utility Pipeline Services, Inc.

Pipeline On-Line Flow Summary for: PORTSMOUTH, NH - SOUTH MILL POND

Site: 1 CSO 10A 127 PARROTT AVE.

Meter Type: FLOW

Pipe Shape: Custom Table

Date	Minimum Flow (mgd)	Peak Flow (mgd)	Total Daily Flow (mg)	Total Rain (in)	Peak Hourly Rain (in)	Peak 15 Min. Rain (in)
08/01/2000 (Tue)	0.000	0.000	0.000	0.35	0.07	0.02
08/02/2000 (Wed)	0.000	0.000	0.000	0.00	******	******
08/03/2000 (Thu)	0.000	0.000	0.000	0.13	0.08	0.03
08/04/2000 (Fri)	0.000	0.000	0.000	0.00	******	******
08/05/2000 (Sat)	0.000	0.000	0.000	0.00	******	******
08/06/2000 (Sun)	0.000	0.000	0.000	0.02	0.01	0.01
08/07/2000 (Mon)	0.000	3.533	0.106	0.66	0.37	0.23
08/08/2000 (Tue)	0.000	0.000	0.000	0.00	******	******
08/09/2000 (Wed)	0.000	0.000	0.000	0.00	******	******
08/10/2000 (Thu)	0.000	0.000	0.000	0.01	0.01	0.01
08/11/2000 (Fri)	0.000	0.000	0.000	0.00	******	******
08/12/2000 (Sat)	0.000	0.000	0.000	0.00	******	******
08/13/2000 (Sun)	0.000	0.000	0.000	0.00	******	******
08/14/2000 (Mon)	0.000	0.000	0.000	0.77	0.14	0.04
08/15/2000 (Tue)	0.000	0.000	0.000	0.01	0.01	0.01
08/16/2000 (Wed)	0.000	0.000	0.000	0.06	0.05	0.02
08/17/2000 (Thu)	0.000	0.000	0.000	0.00	******	******
08/18/2000 (Fri)	0.000	0.000	0.000	0.03	0.03	0.01
08/19/2000 (Sat)	0.000	0.000	0.000	0.02	0.02	0.01
08/20/2000 (Sun)	0.000	0.000	0.000	0.00	******	******
08/21/2000 (Mon)	0.000	0.000	0.000	0.00	******	******
08/22/2000 (Tue)	0.000	0.000	0.000	0.00	******	******
08/23/2000 (Wed)	0.000	0.000	0.000	0.20	0.15	0.06
08/24/2000 (Thu)	0.000	0.000	0.000	0.00	******	******
08/25/2000 (Fri)	0.000	0.000	0.000	0.00	******	******
08/26/2000 (Sat)	0.000	0.000	0.000	0.00	******	******
08/27/2000 (Sun)	0.000	0.000	0.000	0.00	******	******
08/28/2000 (Mon)	0.000	0.000	0.000	0.00	******	******
08/29/2000 (Tue)	0.000	0.000	0.000	0.00	******	******
08/30/2000 (Wed)	0.000	0.000	0.000	0.00	******	******
08/31/2000 (Thu)	0.000	0.000	0.000	0.00	******	******
Total:			0.106	2.26		
Average:			0.003			

Pipeline On-Line Flow Data Report for: PORTSMOUTH, NH - SOUTH MILL POND

Site: 1 CSO 10A 127 PARROTT AVE.

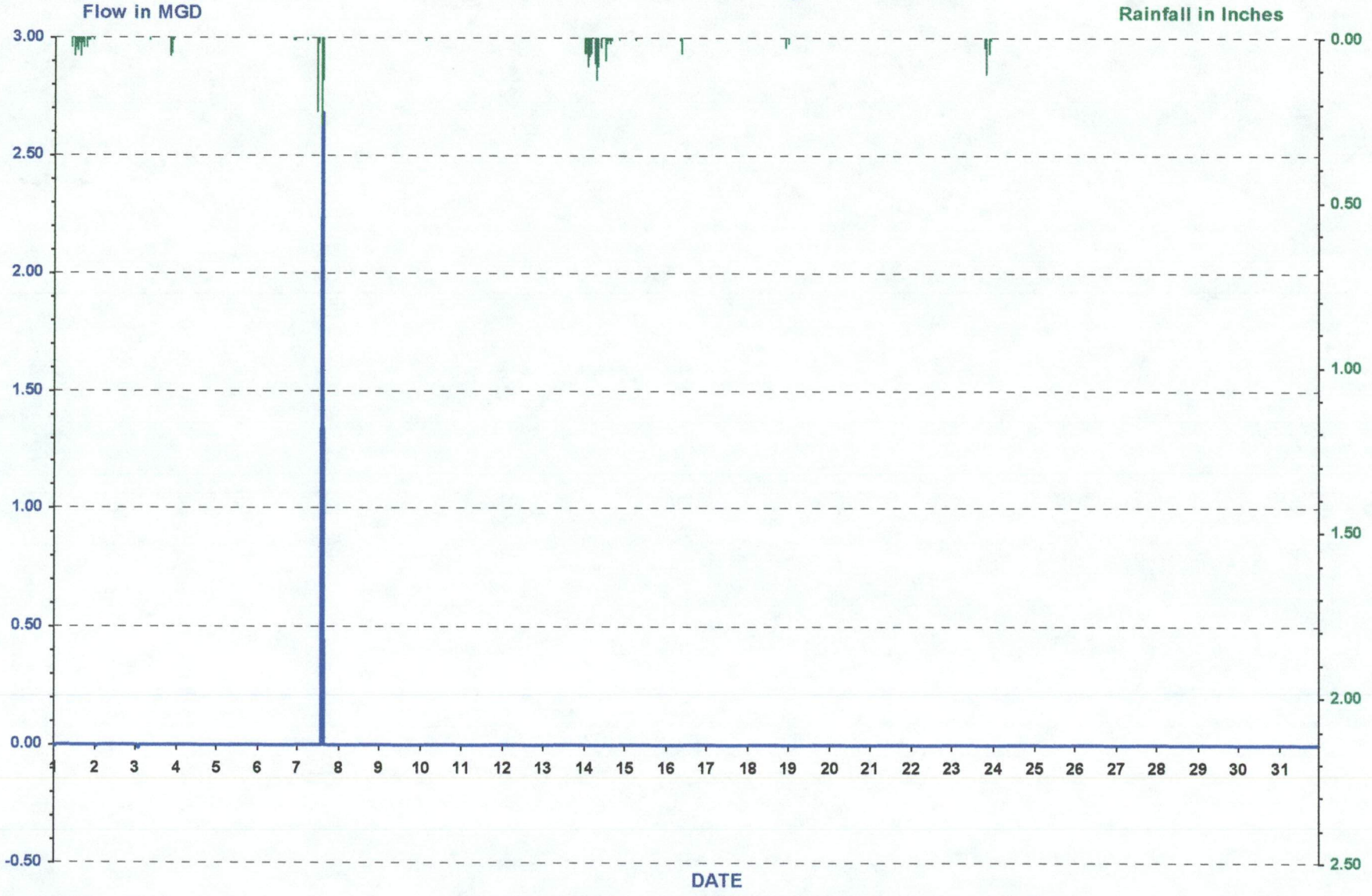
Meter Type: FLOW

Pipe Shape: Custom Table

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cum. Flow (mg)	Rain (in)
08/07/00					
00:00	0.00	0.000	0.000	0.000	
00:15	0.00	0.000	0.000	0.000	
00:30	0.00	0.000	0.000	0.000	
00:45	0.00	0.000	0.000	0.000	
01:00	0.00	0.000	0.000	0.000	
01:15	0.00	0.000	0.000	0.000	
01:30	0.00	0.000	0.000	0.000	
01:45	0.00	0.000	0.000	0.000	
02:00	0.00	0.000	0.000	0.000	
02:15	0.00	0.000	0.000	0.000	
02:30	0.00	0.000	0.000	0.000	
02:45	0.00	0.000	0.000	0.000	
03:00	0.00	0.000	0.000	0.000	
03:15	0.00	0.000	0.000	0.000	
03:30	0.00	0.000	0.000	0.000	
03:45	0.00	0.000	0.000	0.000	
04:00	0.00	0.000	0.000	0.000	
04:15	0.00	0.000	0.000	0.000	
04:30	0.00	0.000	0.000	0.000	
04:45	0.00	0.000	0.000	0.000	
05:00	0.00	0.000	0.000	0.000	
05:15	0.00	0.000	0.000	0.000	0.01
05:30	0.00	0.000	0.000	0.000	
05:45	0.00	0.000	0.000	0.000	
06:00	0.00	0.000	0.000	0.000	
06:15	0.00	0.000	0.000	0.000	
06:30	0.00	0.000	0.000	0.000	
06:45	0.00	0.000	0.000	0.000	
07:00	0.00	0.000	0.000	0.000	
07:15	0.00	0.000	0.000	0.000	
07:30	0.00	0.000	0.000	0.000	
07:45	0.00	0.000	0.000	0.000	
08:00	0.00	0.000	0.000	0.000	
08:15	0.00	0.000	0.000	0.000	
08:30	0.00	0.000	0.000	0.000	
08:45	0.00	0.000	0.000	0.000	
09:00	0.00	0.000	0.000	0.000	
09:15	0.00	0.000	0.000	0.000	
09:30	0.00	0.000	0.000	0.000	
09:45	0.00	0.000	0.000	0.000	
10:00	0.00	0.000	0.000	0.000	
10:15	0.00	0.000	0.000	0.000	
10:30	0.00	0.000	0.000	0.000	
10:45	0.00	0.000	0.000	0.000	
11:00	0.00	0.000	0.000	0.000	
11:15	0.00	0.000	0.000	0.000	
11:30	0.00	0.000	0.000	0.000	0.23
11:45	0.00	0.000	0.000	0.000	
12:00	0.00	0.000	0.000	0.000	
12:15	0.00	0.000	0.000	0.000	
12:30	0.00	0.000	0.000	0.000	
12:45	0.00	0.000	0.000	0.000	0.02
13:00	0.00	0.000	0.000	0.000	
13:15	0.00	0.000	0.000	0.000	
13:30	0.00	0.000	0.000	0.000	
13:45	0.00	0.000	0.000	0.000	
14:00	0.00	0.000	0.000	0.000	0.02
14:15	0.00	0.000	0.000	0.000	0.02
14:30	0.00	0.000	0.000	0.000	0.08
14:45	0.00	0.000	0.000	0.000	0.15
15:00	1.68	1.104	0.473	0.005	0.12
15:15	1.31	3.593	0.759	0.013	0.01
15:30	4.74	4.615	3.533	0.050	
15:45	3.64	3.849	2.408	0.075	
16:00	2.90	3.204	1.433	0.090	
16:15	3.14	2.152	1.037	0.100	
16:30	2.37	1.342	0.494	0.106	
16:45	0.67	0.655	0.084	0.106	
17:00	0.00	0.000	0.000	0.106	
17:15	0.00	0.000	0.000	0.106	
17:30	0.00	0.000	0.000	0.106	
17:45	0.00	0.000	0.000	0.106	
18:00	0.00	0.000	0.000	0.106	
18:15	0.00	0.000	0.000	0.106	
18:30	0.00	0.000	0.000	0.106	
18:45	0.00	0.000	0.000	0.106	
19:00	0.00	0.000	0.000	0.106	
19:15	0.00	0.000	0.000	0.106	
19:30	0.00	0.000	0.000	0.106	
19:45	0.00	0.000	0.000	0.106	
20:00	0.00	0.000	0.000	0.106	
20:15	0.00	0.000	0.000	0.106	
20:30	0.00	0.000	0.000	0.106	
20:45	0.00	0.000	0.000	0.106	
21:00	0.00	0.000	0.000	0.106	
21:15	0.00	0.000	0.000	0.106	
21:30	0.00	0.000	0.000	0.106	
21:45	0.00	0.000	0.000	0.106	
22:00	0.00	0.000	0.000	0.106	
22:15	0.00	0.000	0.000	0.106	
22:30	0.00	0.000	0.000	0.106	
22:45	0.00	0.000	0.000	0.106	
23:00	0.00	0.000	0.000	0.106	
23:15	0.00	0.000	0.000	0.106	
23:30	0.00	0.000	0.000	0.106	
23:45	0.00	0.000	0.000	0.106	
08/07/00	**Daily Totals:**			**0.106**	**0.66**

FLOW HYDROGRAPH

PORTSMOUTH, NH - SOUTH MILL POND
CSO 10B PARROTT AVE. @ ROGERS ST.



Flow Data For: 08/01/2000 - 08/31/2000

Site 2 Rain

Utility Pipeline Services, Inc.

Pipeline On-Line Flow Summary for: PORTSMOUTH, NH - SOUTH MILL POND

Site: 2 CSO 10B PARROTT AVE. @ ROGERS ST.

Meter Type: FLOW

Pipe Shape: Custom Table

Date	Minimum Flow (mgd)	Peak Flow (mgd)	Total Daily Flow (mg)	Total Rain (In)	Peak Hourly Rain (In)	Peak 15 Min. Rain (In)
08/01/2000 (Tue)	-0.024	0.000	0.000	0.35	0.07	0.02
08/02/2000 (Wed)	-0.015	0.000	0.000	0.00	******	******
08/03/2000 (Thu)	-0.035	0.000	0.000	0.13	0.08	0.03
08/04/2000 (Fri)	0.000	0.000	0.000	0.00	******	******
08/05/2000 (Sat)	0.000	0.000	0.000	0.00	******	******
08/06/2000 (Sun)	0.000	0.000	0.000	0.02	0.01	0.01
08/07/2000 (Mon)	0.000	6.360	0.112	0.66	0.37	0.23
08/08/2000 (Tue)	0.000	0.000	0.000	0.00	******	******
08/09/2000 (Wed)	0.000	0.000	0.000	0.00	******	******
08/10/2000 (Thu)	0.000	0.000	0.000	0.01	0.01	0.01
08/11/2000 (Fri)	0.000	0.000	0.000	0.00	******	******
08/12/2000 (Sat)	0.000	0.000	0.000	0.00	******	******
08/13/2000 (Sun)	0.000	0.000	0.000	0.00	******	******
08/14/2000 (Mon)	0.000	0.000	0.000	0.77	0.14	0.04
08/15/2000 (Tue)	0.000	0.000	0.000	0.01	0.01	0.01
08/16/2000 (Wed)	0.000	0.000	0.000	0.06	0.05	0.02
08/17/2000 (Thu)	0.000	0.000	0.000	0.00	******	******
08/18/2000 (Fri)	0.000	0.000	0.000	0.03	0.03	0.01
08/19/2000 (Sat)	0.000	0.000	0.000	0.02	0.02	0.01
08/20/2000 (Sun)	0.000	0.000	0.000	0.00	******	******
08/21/2000 (Mon)	0.000	0.000	0.000	0.00	******	******
08/22/2000 (Tue)	0.000	0.000	0.000	0.00	******	******
08/23/2000 (Wed)	0.000	0.000	0.000	0.20	0.15	0.06
08/24/2000 (Thu)	0.000	0.000	0.000	0.00	******	******
08/25/2000 (Fri)	0.000	0.000	0.000	0.00	******	******
08/26/2000 (Sat)	0.000	0.000	0.000	0.00	******	******
08/27/2000 (Sun)	0.000	0.000	0.000	0.00	******	******
08/28/2000 (Mon)	0.000	0.000	0.000	0.00	******	******
08/29/2000 (Tue)	0.000	0.000	0.000	0.00	******	******
08/30/2000 (Wed)	0.000	0.000	0.000	0.00	******	******
08/31/2000 (Thu)	0.000	0.000	0.000	0.00	******	******
Total:			0.111	2.26		
Average:			0.004			

Pipeline On-Line Flow Data Report for: PORTSMOUTH, NH - SOUTH MILL POND

Site: 2 CSO 10B PARROTT AVE. @ ROGERS ST.

Meter Type: FLOW

Pipe Shape: Custom Table

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cum. Flow (mg)	Rain (in)
08/07/00					
00:00	0.00	0.000	0.000	0.000	
00:15	0.00	0.000	0.000	0.000	
00:30	0.00	0.000	0.000	0.000	
00:45	0.00	0.000	0.000	0.000	
01:00	0.00	0.000	0.000	0.000	
01:15	0.00	0.000	0.000	0.000	
01:30	0.00	0.000	0.000	0.000	
01:45	0.00	0.000	0.000	0.000	
02:00	0.00	0.000	0.000	0.000	
02:15	0.00	0.000	0.000	0.000	
02:30	0.00	0.000	0.000	0.000	
02:45	0.00	0.000	0.000	0.000	
03:00	0.00	0.000	0.000	0.000	
03:15	0.00	0.000	0.000	0.000	
03:30	0.00	0.000	0.000	0.000	
03:45	0.00	0.000	0.000	0.000	
04:00	0.00	0.000	0.000	0.000	
04:15	0.00	0.000	0.000	0.000	
04:30	0.00	0.000	0.000	0.000	
04:45	0.00	0.000	0.000	0.000	
05:00	0.00	0.000	0.000	0.000	
05:15	0.00	0.000	0.000	0.000	0.01
05:30	0.00	0.000	0.000	0.000	
05:45	0.00	0.000	0.000	0.000	
06:00	0.00	0.000	0.000	0.000	
06:15	0.00	0.000	0.000	0.000	
06:30	0.00	0.000	0.000	0.000	
06:45	0.00	0.000	0.000	0.000	
07:00	0.00	0.000	0.000	0.000	
07:15	0.00	0.000	0.000	0.000	
07:30	0.00	0.000	0.000	0.000	
07:45	0.00	0.000	0.000	0.000	
08:00	0.00	0.000	0.000	0.000	
08:15	0.00	0.000	0.000	0.000	
08:30	0.00	0.000	0.000	0.000	
08:45	0.00	0.000	0.000	0.000	
09:00	0.00	0.000	0.000	0.000	
09:15	0.00	0.000	0.000	0.000	
09:30	0.00	0.000	0.000	0.000	
09:45	0.00	0.000	0.000	0.000	
10:00	0.00	0.000	0.000	0.000	
10:15	0.00	0.000	0.000	0.000	
10:30	0.00	0.000	0.000	0.000	
10:45	0.00	0.000	0.000	0.000	
11:00	0.00	0.000	0.000	0.000	
11:15	0.00	0.000	0.000	0.000	
11:30	0.00	0.000	0.000	0.000	0.23
11:45	0.00	0.000	0.000	0.000	
12:00	0.00	0.000	0.000	0.000	
12:15	0.00	0.000	0.000	0.000	
12:30	0.00	0.000	0.000	0.000	
12:45	0.00	0.000	0.000	0.000	0.02
13:00	0.00	0.000	0.000	0.000	
13:15	0.00	0.000	0.000	0.000	
13:30	0.00	0.000	0.000	0.000	
13:45	0.00	0.000	0.000	0.000	
14:00	0.00	0.000	0.000	0.000	0.02
14:15	0.00	0.000	0.000	0.000	0.02
14:30	0.00	0.000	0.000	0.000	0.08
14:45	0.00	0.000	0.000	0.000	0.15
15:00	1.76	2.598	1.209	0.013	0.12
15:15	6.07	6.487	6.360	0.079	0.01
15:30	3.95	4.693	3.048	0.111	
15:45	1.16	0.276	0.102	0.112	
16:00	0.44	0.000	0.000	0.112	
16:15	0.00	0.000	0.000	0.112	
16:30	0.00	0.000	0.000	0.112	
16:45	0.00	0.000	0.000	0.112	
17:00	0.00	0.000	0.000	0.112	
17:15	0.00	0.000	0.000	0.112	
17:30	0.00	0.000	0.000	0.112	
17:45	0.00	0.000	0.000	0.112	
18:00	0.00	0.000	0.000	0.112	
18:15	0.00	0.000	0.000	0.112	
18:30	0.00	0.000	0.000	0.112	
18:45	0.00	0.000	0.000	0.112	
19:00	0.00	0.000	0.000	0.112	
19:15	0.00	0.000	0.000	0.112	
19:30	0.00	0.000	0.000	0.112	
19:45	0.00	0.000	0.000	0.112	
20:00	0.00	0.000	0.000	0.112	
20:15	0.00	0.000	0.000	0.112	
20:30	0.00	0.000	0.000	0.112	
20:45	0.00	0.000	0.000	0.112	
21:00	0.00	0.000	0.000	0.112	
21:15	0.00	0.000	0.000	0.112	
21:30	0.00	0.000	0.000	0.112	
21:45	0.00	0.000	0.000	0.112	
22:00	0.00	0.000	0.000	0.112	
22:15	0.00	0.000	0.000	0.112	
22:30	0.00	0.000	0.000	0.112	
22:45	0.00	0.000	0.000	0.112	
23:00	0.00	0.000	0.000	0.112	
23:15	0.00	0.000	0.000	0.112	
23:30	0.00	0.000	0.000	0.112	
23:45	0.00	0.000	0.000	0.112	
08/07/00	**Daily Totals:**			**0.112**	**0.66**

CITY OF PORTSMOUTH
REQUEST FOR PAYMENT VOUCHER

New ☐

Vendor # 30084

Name Treasurer of th United States

Address US Attorney for the District of NH

55 Pleasant Street, Room 312

Concord, N.H. 03301-3904

Bid number_____

TIN # (only if new) _____

			ACCOUNT #								
			FUND	DEPT	DIV	SUB-DIV	LOCATION	STATE	OBJECT		
INITIAL & DATE	INVOICE #	DATE	XX	XXX	XXX	XX	XXX	XXX	XXXXXX	AMOUNT	DESCRIPTION
	---	9-06-00	51	751	610	51	100	491	032001	$ 600.00	two coliform violations for August

Purchasing Approved _____ VOUCHER TOTAL: $600.00

DEPT. SIGNATURE David S. Allen, P.E. City Engineer, City of Portsmouth

City Auditor Reviewed _____ DATE _____

DEPT. SIGNATURE _____

DATE _____

ACCOUNTS PAYABLE _____

Special Instructions: two coliform violations for the month of August. $300.00 per violation

9/6/2000 - 12:09 PM

g:\jkane\pentvchr\jkvchrs.XLS\dmr0800

PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH
700 Islington Street
Portsmouth N.H. 03801
(603) 427-1530 FAX (603) 427-1539

September 11, 2000

Peirce IslandWastewater Treatment Plant
Coliform Violations

Please process the attached voucher for a two violations (coliform) that occurred in the August reporting period.

Wastewater Treatment Plant Settleable Solids Violations	**two each @ $300.00 apiece Total $600.00**

David S. Allen, P.E. City Engineer

United States Attorney
District of New Hampshire
55 Pleasant Street
Room 312
Concord, N.H. 03301

U.S. Department of Justice

United States Attorney

District of New Hampshire

Federal Building
P. O. Box 480
Concord, New Hampshire 03302-0480
603/225-1552

November 14, 1990

James Starr, Clerk
United States District Court
55 Pleasant Street
Concord, NH 03301

Re: United States v. City of Portsmouth, N.H.
Civil No. 89-234-S, U.S.D.C., D.N.H.

Dear Mr. Starr:

Enclosed please find for filing in the above-entitled action the United States' Notice of Lodging of Consent Decree and lodged Consent Decree.

Please ask the Court not to sign the Consent Decree until the thirty-day public comment period required by Department of Justice policy, 28 C.F.R. § 50.7, has expired. Counsel for the United States will notify the Court when the public comment period has expired.

Thank you for your cooperation.

Very truly yours,

JEFFREY R. HOWARD
United States Attorney

By:
Nancy E. Hart
Assistant U.S. Attorney

NEH:djr

cc: Steven Houran, Esq.
Robert P. Sullivan, Esq.

Enclosure